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THIRD SERIES.

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HANSARD'S

Parliamentary Debates

During the FIRST SESSION *of the* TENTH PARLIAMENT *of*
the United Kingdom of GREAT BRITAIN *and* IRELAND,
appointed to meet at Westminster,
14*th June*, 1831,
in the Second Year of the Reign of His Majesty
WILLIAM THE FOURTH.

Fourth Volume of the Session.

HOUSE OF LORDS,

Wednesday, September 14, 1831.

MINUTES.] New Peers. Baron CHAWORTH, Baron HOWDEN, Baron KENLIS, and Baron OAKLEY, newly-created Peers, took the Oaths.

Petition presented. By the Earl of SHAFTESBURY, from the Owners of Cabriolets, against a part of the Hackney Coach Act Amendment Bill.

PORTUGAL.] Earl *Grey* said, that he rose in consequence of the question that had been put to him on a former evening, relative to papers connected with Portugal, to inform the noble Marquis who put those questions, that the papers were in a state of forwardness, and that they should shortly be laid on the Table of the House. He had also to inform the noble Marquis, that he had inquired into the propriety of laying on the Table the opinion of the King's Advocate on the case on which that opinion was founded, respecting the abduction of the Portuguese fleet from the Tagus, and he had found, that the practice was, not to make such documents public; and though, in Lord Sidmouth's Administration, the opinions of the then Attorney and Solicitor General were produced in order to bear out a particular act of his Majesty's Government, it was not customary to consider communications between the Crown and its law advisers as otherwise than strictly confidential. Instead of its being the rule to submit those papers, he believed the rule was the contrary, and he had only to refer to the remarkable case of Terceira, when the noble Duke lately at the head of his Majesty's Government refused to produce the law opinions on which he and his colleagues acted. When, therefore, the noble Marquis put the question for the production of those papers, he said, though personally he had no objection to lay them before the House, he was not at liberty to do so until he had communicated with the King's Advocate, and procured his consent. That learned person had declared, that he had no objection to have his opinion made public, provided the case on which he gave it was, at the same time laid open. As, therefore there was no difficulty on the part of the King's Advocate, the papers should be at once produced; but he begged the House to remark, that this indulgence was granted under particular circumstances, and that it should be looked upon as an exception from the general rule, and not as a precedent which was to be binding in future cases.

The Earl of *Eldon* said, that the rule had been correctly stated by the noble Earl, and it was unquestionable that the opinions of the law officers of the Crown were altogether confidential between them and the existing Administration. He remembered the time when Sir Fletcher Norton's opinion was made public, and when that learned person declared, that he would never give another opinion in writing. He agreed with the noble Earl both in the propriety of what he stated, and in the course he had pursued in this matter.

The Marquis of *Londonderry* was grateful to the noble Earl for laying the opinion before their Lordships, and particularly for his intention to submit the case on which the opinion was founded; and he was the more grateful to him for this information, as there were many parts of his conduct respecting Portugal which he was any thing but satisfied with. He regretted that the noble Earl should still persevere in his unkindly policy towards that country, as the noble Earl ought to be convinced, as he was, by the united acknowledgment of the nobility, clergy, and people, that Miguel was entitled to the throne, and that it was full time for this country to acknowledge his right, and to re-establish its commercial relations with Portugal. And he still more regretted that, during the late Administration, the noble Earl near him, who now admitted the clearness of Don Miguel's right, had not then thought proper to advise his Majesty to recognise him. He was grateful, however, to the noble Earl for the production of these papers, for he hoped that a case would come out of them which would clear the character of the country from a most disgraceful and discreditable stain, which, in his opinion, it acquired by allowing the French fleet to carry off, as prizes, the whole of the Portuguese fleet, and to conduct them to the port of Brest, where they were probably to be re-manned, and to be sent back to Lisbon with the enemies of the existing government, to attempt to overthrow and destroy it, and establish another, in defiance of the wishes of the Portuguese people. He must repeat his thanks for the papers which were promised. When they were in their Lordships' possession, and all the particulars of the transaction fully known, it would be necessary to discuss the subject in all its bearings. And he begged to assure the noble Marquis (Lansdown), who had on a former occasion taunted him by saying, that he had better discuss the subject before the House had the papers, that he felt a deep interest in Portugal. He had served in that country, and he could not forget, nor ought the noble Duke opposite (Richmond) to forget, the fortitude, bravery, and fidelity shewn by the Miguelite party; for it was this party, and not the Constitutionalists, who then rallied round the British flag, and effectually assisted to achieve the independence of their own country and the independence of Europe. It should never be forgotten which of the Portuguese parties it was who fought on the side of Great Britain. There was one question which he begged to put to the noble Earl before he sat down. He had stated the other night, that two line-of-battle ships had been sent to the Tagus, and this fact was now fully confirmed. He wished, therefore, to know if any fresh grievance or new ground of complaint was alleged against the Portuguese government? He asked this question because it was known that an insurrection had recently taken place in Portugal, and had been put down. He was prepared to account for this insurrection. If noble Lords would hear him out, he would state the causes of this insurrection, according to his information, which was perhaps quite as good as any that could be derived from the British Consul at Lisbon. He understood that there were fresh complaints against the Consul. It was stated, that a Serjeant who had been engaged in the revolt, as well as another individual, who had run away, had recently arrived in this country. He wished to be informed if our Consul at Lisbon was authorised to give British passports to individuals so situated? For it was known that the Lisbon packet would not take on board passengers to this country without a British passport. He did not state these facts loosely. Perhaps they might not be included in any information received by the Foreign Secretary. He was nevertheless able, if an opportunity could be afforded him, to prove them by witnesses at their Lordships' bar. Having stated these facts, he now wished to know if any fresh grievance was alleged against the Portuguese government, and if it was such as made it necessary to despatch two line-of-battle ships to the Tagus? He was likewise anxious to know if the letter of Sir John Campbell had been laid before the Secretary of State for Foreign Affairs. He had received a letter from that noble Lord, acknowledging that which he had sent him; and the last paragraph of the noble Lord's letter to him was such as to warrant one or two remarks. He would read the paragraph, and read also what he had written in reply to it. The noble Secretary said, that it was not necessary for him to reply to the observations of Sir John Campbell, but in justice to Mr. Hoppner, he felt bound to say, that his Majesty's Government had no reason to believe, that the conduct of that gentleman, as his Majesty's Consul at Lisbon, had been other than proper. He would only say, that a letter had been sent to him, and another to Sir Herbert Taylor, by Sir John Campbell, who, as an honourable Officer, was anxious that his Majesty should know, and that the noble Lord at the head of his Government should know, how the national affairs were conducted at Lisbon. The letter addressed to Sir Herbert Taylor was sent back to Sir John Campbell, in order to receive some alterations which it was supposed might make it more agreeable to the noble Earl. This was six weeks ago, and when he found that his Majesty's Government would take no notice of his communication, it was clearly right on the part of the gallant Officer to send his communication to another Member of that House, and to request him to state, that he was ready to prove the allegations it contained. It could not be denied, that the letter had been received by his Majesty's Government, or why did the noble Duke ask him if his letter did not contain some statements respecting the persons in prison in Portugal, which it did not, and which could only have been suspected because the letter to Sir H. Taylor, intended for the information of his Majesty's Government, did contain such a statement? Then it was too much to accuse persons of putting papers into the hands of noble Lords on that side of the House for factious purposes, when a month before, the papers to the same effect had been communicated by the same party to Government. It was possible the Foreign Secretary might know nothing of the letter of Sir John Campbell. It was possible that the noble Earl might have sent him the customary red box, forgetting to put the letter into it, as it was possible that the noble Secretary for Foreign Affairs might have received the letter, and, as in the case of another celebrated letter, might have forgotten to read it. All this was possible, but he knew that the honourable individual sent the letter to his Majesty's Government. Sir John Campbell felt deeply interested in the welfare of Portugal; and finding that his communication obtained no attention from Government, he very naturally applied to a brother soldier, and requested him to bring the conduct of Mr. Hoppner under the notice of their Lordships. He would now state to their Lordships what he had written in reply to the noble Secretary for Foreign Affairs:—"In reply to that part of your Lordship's letter in which you express the opinion that I am mistaken, and that his Majesty's Government have no reason to believe that the conduct of Mr. Hoppner has been other than proper, I can only say, that Sir John Campbell communicated the same statement which I transmitted to you to Sir Herbert Taylor, to be seen by Earl Grey, thus acting in unison with the advice subsequently given by the Duke of Richmond in the House of Lords. The letter was certainly received, for allusion was made to a passage in it respecting prisoners in the course of the debate. I am therefore convinced, that his Majesty's Government were cognizant of the facts stated in the letter I communicated to you, although your Lordship alone might probably have remained unacquainted with them." This was what he had thought fit to reply to the noble Secretary, for he should never permit, without contradiction, any Minister to say that he was mistaken, or to accuse him of stating what was not warranted. These were not the times in which men could be indifferent to such accusations. He begged leave, before he sat down, to repeat his questions, whether any fresh grievance was alleged against the government of Portugal, and whether his Majesty's Government were not aware of the facts stated in the letter of Sir John Campbell before he adverted to the authority of that Officer in the recent discussion?

Earl *Grey* said, that the noble Marquis seemed extremely indignant at the possibility of any one imputing a mistake to him, and he supposed, therefore, that he must congratulate the noble Marquis on being free from the common infirmities of nature, to which all other men were liable. He would, therefore, be cautious how he charged him with being mistaken, as it would appear that the noble Marquis was exempt from the common failings of man, and endowed with an excellence of understanding which few could arrogate to themselves. Whether the noble Marquis was right or wrong in that intimation was no business of his, and all he had to say was, that he had no objection to answer his question. He would admit then, that he had seen the letter alluded to, but in the shape of a private communication from Sir Herbert Taylor. He begged, however, to have it understood, that he believed he had not seen it at the period of the debate in which he had been called upon to state his favourable opinions of Mr. Hoppner, so that the letter could not, as the noble Marquis suspected, have induced him to make those remarks, which were altogether drawn from him in justice to that respectable individual. If he had seen the letter previously to that debate, it would have made no difference in what he said; and he was prepared now to say, that the communication of Sir John Campbell had not in the slightest degree weakened his sense of the merits of Mr. Hoppner. There was nothing in the way of reproach towards that gentleman which had been offered, that affected his high opinion of him. He considered the communication as a private one from Sir Herbert Taylor, and he would frankly admit, that the tone and temper in which Sir John Campbell's letter was written, were such that he did not deem it necessary to submit it to his colleagues, and after perusing it himself he returned it to Sir Herbert Taylor. The letter was different, as far as his recollection went, from that which had been read to the House. There were no specific charges in it, and there was a strong eulogium on the public administration and private virtues of Don Miguel. It was he who suggested to his noble friend (the Duke of Richmond) the question about the persons detained in prison, for he recollected that, after the enumeration of the virtues of Don Miguel, there was a passage which began, "perhaps it might be said, that there were 6,000 persons in prison on account of State accusations." For his part, he believed that 6,000 was not the one-half nor the one-third of those who were then languishing in confinement by order of the Portuguese government; but then the letter went on to ask, "were there not persons confined in the Castle of Ham for the same cause?" and concluded by reasoning of a similar nature, which the House would believe he did not much coincide in, and he therefore allowed the document to escape him without its making any great impression on his mind, and it certainly did not counteract the information which he had received from quarters on which he placed a greater reliance. In the letter read by the noble Marquis, there were specific charges made against the conduct of Mr. Hoppner; but, as he did not believe that Sir John Campbell was present at each particular case, it was clear that he must have got his information from others, by whom he was purposely misled and misinformed. Be that as it might, the letter had been sent to Mr. Hoppner; and when his answer to it was received, the noble Marquis might, if he pleased, renew the subject. So much for this topic—and with regard to the question which the noble Marquis thought proper to put, relative to the sailing of two ships of the line; to that he had only to say, he believed, when orders were given by his Majesty's Government for the departure of ships of war, it was not customary for any person to inquire for what purpose they were sent, and he would, therefore, not give the noble Marquis the information he desired. If the noble Marquis repeated the question to-morrow, and if he continued to repeat it from day to day, all he could say was, that he should have no answer. The noble Marquis then inquired if any new grievance had occurred in Portugal? To that he answered in the affirmative; and not only were complaints made of the government of Don Miguel by the British Consul, but they were made by the Officers of the British ships in the Tagus; and not only by them, but by the merchants of Lisbon and Oporto. The noble Marquis doubted this, but he recommended him to look for better information than he had already proved he was in the habit of receiving, if he wished to support his character of never being mistaken. Notwithstanding those pretensions, it was possible that the noble Marquis might be in error, and he had a late instance which might convince him of the fact. The noble Marquis had then stated, that when the French ships were in the Tagus, they were delayed there for the purpose of forcing the Portuguese government to comply with stipulations of a nature favourable to French commerce; but, when our Minister at Paris was made acquainted with the statement, his answer was, that it was with the greatest surprise that he heard of it, for no such thing was contemplated or attempted.

This, to be sure, was a slight error, but it only showed that persons of the greatest power of mind were sometimes unable to distinguish truth from falsehood; and that the noble Marquis, although he was so irritated at its being supposed that he could be mistaken, was himself sometimes misled.

The Marquis of *Londonderry*, when he rose to ask a question relative to the public affairs of the country, had no idea that the noble Earl would turn his answer into a personal attack, and he assured the noble Earl, that neither in the eyes of the House nor the country was it consistent with his character and acknowledged talent to indulge in personal allusions, where nothing of the kind had been attempted against him. However, on this occasion he would pass by any observation of that nature in silence; begging the noble Earl to believe that he wished to avoid every thing like personality. While he admitted, however, that he was quite unequal to cope in argument with the noble Earl, he would not be prevented by any remarks, whether personal or otherwise, from discharging his duty as a Member of the House, and of pursuing his inquiries into the conduct of his Majesty's Government. The noble Earl charged him with pressing on a debate before all the papers were laid before the House; but surely the noble Earl could not complain of his unwillingness to receive information, as it must be in the recollection of the House, that he had frequently expressed a strong desire to have the whole case laid open. In the absence of that information he had applied to sources of his own, and he felt that his communications were worthy of credit, however much the noble Earl might undervalue them. With regard to the perfect silence which the noble Earl threatened, he had nothing further to say, than that he would continue to pursue that course which was dictated to him by his conviction, whether he was favoured or not by the notice of the noble Earl. The noble Earl might appear indifferent to the questions that had been put from that side of the House, and to the observations that he and his noble friends near him had made on the policy and conduct of the noble Earl; but he would ask the noble Earl, if the question, which had been put, and the comments that had been made, had not materially changed the course of the negotiations which his Majesty's Government had been lately pursuing? He would ask the noble Earl, if the observations which had proceeded from that side of the House had not given a tone to his negotiations which never would have been given if he and his noble friends had not stated boldly what the opinions of the country were? Indeed, it was evident to all that the noble Earl had been moved by those hints, and that he was now coming round from his confidence in French magnanimity. He hoped, therefore, as the advice from that side of the House had opened the eyes of the noble Earl to the conduct of France respecting Belgium, he would take advantage of their opinions, and be warned in time of the fate of Portugal. He hoped to see the noble Earl act as if he were aware of what French intrigue was driving at, and not be made a party to a wild attempt to impose a constitution on a people who detested it, and to place Don Pedro on a throne to which he had no right. With these few observations he would conclude, regretting that he had trespassed so long on the time and patience of the House.

Earl *Grey* was not aware of any personality that he had uttered, and he thought that the noble Marquis had no right to complain, as nothing like a personal attack was intended. But he begged leave to ask the noble Marquis, who seemed so sensitive on this point, if he were not aware of the terms that he himself used; and if he forgot, when he spoke of the conduct of his Majesty's Government on the affairs of the Tagus, that he had called it disgraceful, dishonest, and discreditable to the character of the country? The noble Marquis must be aware, that if he used these expressions they must be replied to, and the more he avoided using them the better; otherwise it would be impossible to carry on the debates of the House, at least so far as he was concerned. The noble Marquis said, that great advantage had arisen to the conduct of the foreign policy of the country by the interlocutory debates which he and other noble Lords near him were in the habit of so often provoking; and he called on his Majesty's Government, as they had been saved by following his advice respecting Belgium, to take warning now by his foreboding, and to rescue Portugal from her fate. That the noble Marquis was an able and discreet counsellor he was not disposed to deny, but, judging from the counsel he had of late so repeatedly given, which, if followed, would have had no better effect than that of plunging the country into war, he begged leave to decline attending to him for the future, as he could assure the noble Marquis he had not been influenced by his advice during the past. The noble Marquis had spared no opportunity of using offensive epithets against the French government, and of taunting him with placing his confidence in its assertions. The noble Marquis had embraced every opportunity of inflaming both nations against each other, and, as far as was in his power, of leading them into war. He must, therefore, decline to be influenced by opinions which would be attended with that result. But, as the noble Marquis had said that his Majesty's Government was indebted to his counsel for the settlement of Belgium, it was fit that he should assure him that its conduct had not in the least been influenced by what the noble Marquis had said on any one occasion. The conduct of himself and his colleagues had been guided by different views, and they had steadily pursued their course, uninfluenced by the advice, the charges, or the vituperation of the noble Lord. They had gone on as if he had not spoken. He had no objection to let the noble Marquis congratulate himself upon being the dictator or director of the foreign policy of the country, but he would assure the noble Marquis, that he would pursue the line of his duty as he thought fit, and that he would not be deterred by anything the noble Marquis might say from following the policy which seemed to him wisest and most just. He would further tell the noble Marquis, that there was something in his tone and manner, and his apparent indifference to the continuance of peace and the misery of war, which would induce him, if he found himself agreeing with the noble Marquis, to pause and to reconsider the grounds of his opinions before he ventured to act upon them. More than this he would not say at that time, and he would conclude by repeating, however much the noble Marquis might flatter himself with having advised and directed the present Administration, that anything he had said had had no effect whatever on the minds of the Ministers.

The Marquis of *Londonderry* said, he only wished to add one word, which was to repeat what he had said before, and to recommend to the noble Earl to avoid personality, and not to impute vanity or presumption to him or to any other person who ventured to arraign the conduct of his Government. He never indulged in personality, and had attacked, not the noble Earl himself, but the conduct of his Government, and the foreign policy by which he had hitherto guided his Administration. He therefore felt, that the personality which the noble Earl indulged in was inapplicable to him, and unworthy of the station which the noble Earl held in the country. He would, however, repeat, that the noble Earl, in the change of his policy in the Belgian affair, had followed the suggestion which came from that side of the House, and had listened to the advice of the four Powers against France. He had fallen back upon the principles of the quadruple alliance, and felt, at length, the propriety of checking the aggrandisement of France. It was evident that he did so in rescuing Belgium from the clutches of that country, and he only regretted that the Ministers of Prussia and Austria, who had influenced him so strongly on that point, had not urged him with the same success to render justice to Portugal.

The *Lord Chancellor* thought, with the noble Marquis that this was a most unfit mode of their Lordships passing their time, and he agreed with that noble Lord that it was most idle for the House to occupy itself in what he called interlocutory discussion. The noble Marquis found out that to-night, but he discovered it long ago, and he had not waited for the 14th of September, in the 2nd year of the reign of King William 4th, to learn how many good hours might thus be uselessly consumed. That knowledge had been acquired by him almost the very first day that he was made a Member of that House, and ever since he became acquainted with a certain person to whom he could not more distinctly allude. He would not have said a word on this occasion were he not called on to render justice to an absent, and, as he considered, a very ill-used friend. He always understood, both in this and in the other House of Parliament, when any person was absent, whether friend, enemy, or neutral, that it was but seemly to abstain from making strong accusations against him. This was not the first time, however, that his Majesty's Consul at Lisbon had been attacked in his absence, and he thought it was rather strange that the noble Marquis should be the person to press these charges, as Mr. Hoppner was first advanced by his own relation. But it was evident, that notwithstanding the fact that one so dear to him had selected Mr. Hoppner as worthy of the public confidence, the noble Marquis had suffered his mind to be influenced, to be imposed upon, and to be deluded. It was evident that the noble Marquis, however honestly he meant, was deluded by artful parties, and knowing nothing personally of those transactions, he was made the dupe or agent of persons who induced him to speak of Mr. Hoppner in terms which were pretty much the same as Don Miguel himself would speak of that individual. No one would question the honour of Sir John Campbell, but it should be recollected that that gallant Officer was in the way of being acted upon by strong prejudices, and his situation in the country rendered him liable to be affected by them; and as there was no doubt that he was full of Miguelite prejudices, he had communicated them to the noble Marquis, who had swallowed them up and absorbed them into his system. The noble Marquis, therefore, only saw one side of the question, and he viewed with jaundiced eye every thing that concerned that country, or the conduct of his Majesty's Government towards it. For his own part, judging of the letter of Sir John Campbell, and the discretion in which it was conceived, and the language in which it was expressed—nay, of the manner in which it was directed, he thought it was but prudent to pause before he gave a full assent to all that it contained. From it, however, he learned, that Sir John Campbell was angry with Mr. Hoppner, because Mr. Hoppner was angry with Don Miguel, and because that gentleman had taken steps—mind you, in the discharge of his duty—to protect his own countrymen from the attacks which were made or threatened against them. Sir John Campbell admitted, that there were probably 6,000 persons shut up in prisons, and then he innocently asked, whose fault was that? And was it not clear that they had acted in the same manner as the Prince de Polignac and the other French ministers, who were shut up in the fortress of Ham? Sir John Campbell totally forgot to say, that the latter were accused, tried, convicted, and that their imprisonment was the consequence of their crime and a legal sentence, pronounced by the tribunals of the country. Sir John Campbell spoke of 6,000 persons only; if he had named 30,000 he would have been nearer the mark—all of whom were untried, unconvicted, not sentenced—many of whom were taken out of their beds in the dead of the night, and more of whom were arrested in mid-day, without naming the offence of which they were accused. He should not be surprised if ninety-nine out of every hundred were languishing in Don Miguel's dungeons without a regular accusation, trial, or sentence. Were these the attractions which won the regards of Sir John Campbell and the noble Marquis, and by which they were able to account for the love they bore to Don Miguel? He really could not account for the desire which the noble Marquis, and an hon. Baronet in the other House of Parliament, on all occasions evinced to support Don Miguel; and the soreness which they exhibited when the conduct of that personage was arraigned; he himself knew what party was. He

—— "had given suck (to faction), and knew
How tender 'tis to love the babe;"——

but he would

"Have plucked the nipple from its gums
And dashed the brains out,"

sooner than he would have let his party beguile him to be

"Pleased with a rattle—tickled with a straw,"

and descend to the praise of Don Miguel. He could abstain from speaking of Don Miguel at all; but if he did say any thing, he would speak of him in the words of one who knew how to paint a tyrant to the life:—"Tyrannus, quo neque tætrius, neque fædius, nec dis hominibusque invisius animal ullum cogitari potest: qui, quanquam figura est hominis, morum tamen immanitate vastissimas vincit belluas." Praise him, indeed, or any one of his caste! No, that was beyond his power. He never could descend to that, though he gave way to the bitterest feelings that ever were engendered by faction or sprung from party. With regard to the charge of using personalities, which the noble Marquis made against his noble friend, it appeared to him very odd that the noble Marquis should be so unconscious of the pain which he himself inflicted, and so much alive to that which he experienced. Not that he thought the noble Earl had shown any thing like a proper sense of the castigation of the noble Marquis; he had not evinced enough for the order of debate, or as much as such cutting words in decency called on him to do. The noble Earl could not be so patient under the rod, and it was but fitting that he should chafe a little, and not take in such good part the bitter things which were levelled against him. Considering the severity of the noble Marquis, and that he had said nothing more than that the noble Earl's Administration had disgraced the Sovereign and the country, it was wonderful to find him so patient, and, he would add, forgiving—

The Marquis of *Londonderry:* It was quite true.

The *Lord Chancellor:* The noble Marquis said, "quite true." He supposed that was by way of making his charge less disagreeable. The noble Marquis then proceeded to say, that all the wise measures of late pursued by his Majesty's Government had been forced upon them by his advice, and that all the good that had accrued to them had been received at his hands. It might be true, but he did not know until now to what mighty spirit they had been indebted.

> "Spiritus intus alit, totamque infusa, per artus
> Mens agitat molem, et magno si corpore miscet."

He was not aware until now, that it was the noble Marquis who bade the spirit speak which agitated their minds and impelled their measures. The noble Marquis did not seem, however, to be informed of what the real effect of all that he had been saying was. He would be surprised to be told, that it was a more serious thing than he could imagine; and he could bear testimony to all the remonstrances which the noble Earl offered to him in that course, but in vain. Night after night was the noble Marquis at his post, making speeches against France. Now he (the Lord Chancellor) did not say that England should truckle to France, but he said, we should keep peace with France, for if there was not peace with her, there was nothing but war for the world. When France was peaceably and amicably disposed, he said let England enter into every kindly feeling, though it be with France. He said, with France, and with France above all others, because she was our nearest and greatest neighbour—and she had more power than any other State to disturb the repose of Europe. What he now stated was on something better than surmise—he spoke from the authority he had officially acquired within the last three months; and he cautioned the House against the perilous consequences of these constant and unjust charges. Was there a Minister to be attacked, he was accused of a leaning towards France; was the Government in mass to be denounced, it was because it sought an alliance with France. If there was one thing for which, in the estimation of the people, a Minister of this country would deserve to lose his head, it would be the needless plunging into a war with France, and involving in one common hostility Europe and the world. That was not known in France—it was not known in the Paris circles—it was not known amongst many, even very well-informed people—it was not known amongst their Statesmen; but they knew the noble Marquis, and, as a prophet was more honoured in another country than in his own, they attended to what he said. They did not know that the noble Marquis was not a person of the greatest weight, influence, and consideration of any one in the House—they knew, however, that he was an important member of an important party—the leading member of the Opposition of this country, and they consequently said, "There is a great war party in England—all the high Tory party, with the noble Marquis at their head, are bent on breaking the peace." The consequence of this was, that many best well-wishers of this country in Europe were at this moment trembling for the peace of Europe in consequence of these repeated attacks. He would not at present bring forward his private opinion; but he had no hesitation in saying, that if these attacks were persisted in, he should use arguments which would convince their Lordships, that he had rather understated than exaggerated the case. "I shall not (continued the noble and learned Lord) have regretted having troubled your Lordships on the present occasion, if what I am about to add shall reach France, and the friends and well-wishers of this country, and the friends and well-wishers of peace in that great nation (for they are the same persons, and one and the same party—they who wish well to England, France, and the peace of Europe, are one and the same); if the contradiction which I now give in the face of your Lordships and the country shall reach them, and carry comfort to their bosoms, I shall not regret having troubled your Lordships. I solemnly and in my conscience believe, that the breaking the peace of Europe will, over England, Ireland, and Scotland, be the most hated act that any Government could be guilty of; that it would draw down universal, loud, and unsparing execrations on the Government; and I do in my conscience believe, that those execrations would not be more loud, universal, and unsparing, than, according to the soundest view of the interests of this country, and the honour of the Crown which I serve, and which I think I more faithfully serve the more I give utterance to these opinions, they would be merited by the advisers of so insane and criminal a course."

The Marquis of *Londonderry* would not be deterred by all the eloquence and all the power of language possessed by the noble and learned Lord from doing his duty. He did think that the efforts of the noble and learned Lord had failed, when he ventured forth, with all his power and all his extraordinary language, to heap on the Prince who was now reigning over Portugal all the abuse which he seemed to think him deserving of. That individual had not been proved to be guilty, and he ought to be considered innocent until he was so proved. He did not stand up to defend Don Miguel, but when there were statements on one side and on the other, he did object to the condemnation of that individual until both sides were examined. Of this there could be no doubt, that Don Miguel was the acknowledged King of Portugal, however noble Lords might quarrel with his title. He did not pretend to be such a scholar as the noble and learned Lord; he could not quote with so much facility as the noble and learned Lord did. He could only compare the noble and learned Lord to Cæsar,

> "He doth bestride this narrow world
> Like a Colossus, and we petty men
> Walk under his huge legs and peep about
> To find ourselves dishonourable graves."

Should they not endeavour, then, to put him down, who did all he could to get them under by the extraordinary lash of his eloquence? He believed that the noble and learned Lord was brought to that House for the purpose of assisting those who, when questioned, wished to be silent. No sooner was a question asked, than the noble and learned Lord started up, and took his position on the Opposition side of the House, for the purpose of—

Lord *Holland* rose to order. The assertion of the noble Marquis, that the noble and learned Lord was sent to that House for some certain purpose, was extremely irregular. It would be well if the noble Marquis would check the profusion and ardour of his eloquence, which led him into assertions that were not at all reconcileable with order.

The Marquis of *Londonderry* said, no man felt a greater wish to pay personal respect to every member of that House than he did. But he must say, that courtesy was not always observed towards him. He well recollected the observation made by the noble and learned Lord about braying his head in a mortar. Had the noble Baron called the noble and learned Lord to order on that occasion, he thought that he would have been justified in doing so. But did any noble Lord imagine, that when the noble and learned Lord had attacked him as he had done, he would not attempt to answer it? With respect to the remark which had been made on him, he would say, that he thought it would be a great blessing to the Constitution if the noble and learned Lord would allow himself to be brayed in a mortar first? He would ask of any noble Lord, whether the whole course of the noble and learned Lord's speech was not decidedly personal? He should say little more at present, but he would take other opportunities to answer what had been said by the noble and learned Lord as to our relations with Portugal and France. He had never, although the noble and learned Lord had asserted it, wished for a war with France. Let the noble and learned Lord prove the contrary, by any thing which he had said or done in that House. But he would assert, that the Government of this country, in the negotiations which had been carried on up to this time, had shown a truckling spirit—a fear of supporting this country's old ally, on account of our situation with France. He had alluded to the conduct of France, in robbing Portugal of her fleet, as a circumstance the most disgraceful that had ever been permitted by any Administration of this country; and that he would prove, when the proper time arrived. He could assure the noble and learned Lord, that he would not return to these personal attacks, unless the noble Lord provoked him, by endeavouring to put him down. He felt no desire to make personal attacks;

but at the same time he was little disposed to put up with them.

The matter terminated here.

HOUSE OF COMMONS,

Wednesday, September 14, 1831.

MINUTES.] Returns ordered. On the Motion of Mr. O'CONNELL, the quantity of Malt Spirits distilled by each Distiller since 1827, with the Drawback allowed:—On the Motion of Mr. CROKER, of the number of Rated Houses above 10*l.* in Appleby; and the amount of the Assessed Taxes paid by the same place:—On the Motion of Mr. O'CONNELL, for Returns relating to the Distilleries, and the Drawback on Malt used in Ireland.

Petitions presented. By Mr. BRISCOE, from Inhabitants of Clapham and Battersea, against persecution for Religious Opinions. By the Earl of BELFAST, from Belfast, and other places in Ireland, in favour of the Kildare-street Society. By Colonel TORRENS, from George Fuller, a non-resident Freeman of the City of Canterbury, praying that he might not be deprived of his franchise. By Mr. CHAPMAN, from Moate, Westmeath, for the introduction of Poor-laws into Ireland. By Lord TULLAMORE, from Distillers in Ireland, for an alteration in taking the Malt averages. By Mr. HUME, from the Trade Societies of Nottingham, praying for further investigation into the case of the Deacles. By Mr. O'CONNELL, from Annadown, in Galway, praying for the disarming of the Yeomanry of Ireland.

OBSERVANCE OF THE SABBATH.] Mr. *Hume* presented a Petition from persons engaged in the retail trades of the metropolis, praying that the House would be pleased to pass a law to prevent the carrying on of those trades on a Sunday. He had felt it his duty to present the petition, but he could not concur in its prayer, for there had been already too much legislation on the subject.

Mr. *Paget* agreed with the hon. Member, and should decidedly oppose any augmentation of the severity of the laws in this respect. The obvious remedy was, for masters to pay their labourers on some other day than Saturday, at an early hour on that day.

Mr. *Wilks* said, the existing penalties were imposed in the reign of Charles 2nd, and were perfectly inadequate to effect the proposed object. Only one penalty could be inflicted for one day, however frequent the offence, and it was very difficult to obtain a conviction. The respectable inhabitants could prevent the practice; Islington was an example. There the parishioners had come to a resolution not to deal with parties who adopted the practice.

Mr. *Hume* moved, that the petition be printed, and said, in Scotland they had no penalties to compel the observance of the Sabbath, yet it was well observed.

CHURCH PROPERTY.] Mr. *O'Connell* presented a Petition from the Roman Catholics of Killasty in the county of Tipperary, praying that persons of every religious persuasion in Ireland might be compelled to pay their own clergy, and that the property in the hands of the Church might be resumed, and applied to national purposes.

Sir *Richard Vyvyan* begged to ask the hon. and learned member for Kerry, what he meant, or what the petitioners meant, by the Church property being resumed?

Mr. *O'Connell* said that the British Parliament, at the period of the Reformation, had taken the Church property, and given a considerable portion to the Crown, which devised the greater part afterwards to powerful and influential persons, whose families, in many instances, enjoyed this property up to the present moment. The remainder of the Church property Parliament bestowed on the members of another Church, differing from that which originally held it. This, he contended, was the indisputable right of Parliament, and what the petitioners prayed was, that Parliament might resume the property so granted, and appropriate it to national purposes. This, however, he admitted, could not be done without great cruelty, unless an adequate provision was made for those who had taken orders in the Established Church, under the sanction of an Act of Parliament. He had given no opinion on the petition, but, being called upon by the hon. Baronet, he felt bound to say that he could see no reason why every man should not pay his clergyman precisely as he paid his physician and his lawyer; and there seemed to be no reason why property given by Parliament to the Church was not capable of being resumed.

Sir *Richard Vyvyan* really asked the question with a view of ascertaining the hon. and learned Member's opinion on the subject. It was quite right, and perhaps natural, for a person of the Roman Catholic persuasion to say, that he thought the property taken from the Roman Catholic Church at the time of the Reformation should now be given back to it.

Mr. *O'Connell* protested against its being supposed that he wished the property of the Established Church to be transferred to the Catholic Clergy. He should oppose such a measure as determinedly as the hon. Baronet, for nothing would tend so much to render them useless, Mr. *Hume* said, that not being a Roman Catholic, he entertained a very strong opinion on this subject—and he found that every one out of doors had formed a strong opinion on it likewise; and it was only within the walls of Parliament that people seemed afraid to speak out. Where was the use of being mealy-mouthed on this subject? Every one knew that the clergy who were the present possessors of Church property had only a life interest in it. It was public property in every sense of the word, and it was competent for Parliament to appropriate it for the purposes of education, of religion, or in any way it thought proper.

Mr. *Lefroy* did not rise to protract that discussion, but he wished to correct a mis-statement which had been circulated through the usual channels of information. The hon. and learned Gentleman, the member for Kerry, was represented to have said, that two-thirds of the beneficed clergy of Ireland were absentees. There were altogether in Ireland 1,295 beneficed clergy, of whom 1,192 were resident, and employed 750 curates. It was much to be regretted that such mis-statements should go abroad; but the fact was, that the Church of Ireland was comparatively a helpless Church in that House. Let them beware, however, for the moment the Church of Ireland was broken down that of England would not last very long. The hon. and learned Gentleman was also represented to have said that Archdeacon Magee held no less than eleven parishes.

Mr. *O'Connell.* Eleven livings.

Mr. *Lefroy:* The Archdeacon held the living of Wicklow, and the archdeaconry of Wicklow, the latter being a sinecure. He also had a small parish in Dublin of 150*l.* a year, out of which he paid a curate 100*l.* a year, and a small living in the county of Galway. Here, therefore, were only four livings in place of eleven. Even if he had eleven, it would not follow that they would be adequate to his support, for he knew an instance in the diocese of Clonfert of eleven vicarages, from the whole of which the clergyman derived only 114*l.* a year. He had in addition fifteen acres of glebe land. He would boldly assert, that there was not in existence a more laborious, pious, and zealous set of men than the Protestant clergy of Ireland. The property of the Church was as sacred as private property, and they had no more right to touch one than the other. He trusted he never should see the day when such revolutionary projects would be for a moment listened to in that House.

Sir *John Sebright* said, he was neither a Catholic nor an Irishman, and he did not hesitate to declare, that matters ought not to remain as they now were in Ireland. Suppose in England two or three Roman Catholics resided in a populous parish, consisting, besides these two or three, of Protestants, what would be said if all the Protestants were taxed to support the Catholic clergyman? He had lived among Protestants and Catholics in many parts of Europe, and he was ashamed to say, that he never witnessed more contention about religion, and more bigotry, than in that House. He trusted he should not die until he saw the day when all classes of society would be treated as men, and not as Protestants or Catholics.

Colonel *Beresford* said, his hon. and learned friend (Mr. Lefroy) merely rose to correct a mis-statement, and he was fully justified in taking that opportunity of expressing his opinion on the sentiments expressed by the member for Kerry. He wished as much as any man to see bigotry and religious disputation excluded from the discussions of that House; but as an Irish Protestant he had a right to express his opinion as well as the hon. Baronet. The bigotry did not commence with them, but with the persons who were daily making attacks on the Irish Church.

Mr. *O'Connell* said, that he had been charged with misrepresentation when he said Archdeacon Magee had eleven livings. The hon. and learned Member (Mr. Lefroy) allowed him four. The hon. and learned Member forgot, however, that the union of Wicklow consisted of six parishes. Five, therefore, were to be added to the hon. Member's account, which made nine. Then there was the archdeaconry of Kilmacure, from which Archdeacon Magee took his title, and which made ten—and, just before his father's death, the rev. gentleman had got the golden prebend of Swords, which completed the eleven. He (Mr. O'Connell) was not less correct in his statement that two-thirds of the parishes in Ireland had not resident Rectors. There were 2,500 Catholic parish priests in Ireland, and only 1,132 resident Protestant clergy. Besides, what was called residence? Visiting a parish once a year. In the parish in which he resided there were nearly 5,000 Roman Catholics and twenty Protestants, fifteen of whom were Englishmen employed in the Coast Guard Service. The 5,000, however, paid the Rector his tithes, though he had only five Protestant parishioners. No one in the parish ever saw the Rector; but he came a distance of sixty miles at the last election to vote against him. He had heard with inexpressible delight the liberal view taken by the hon. Baronet opposite, of the relation in which Catholics stood towards the Established Church. If a colony of twenty Irish Catholics were planted in an English parish, would not the Protestant inhabitants exclaim against being taxed to support a Catholic priest, for the twenty individuals from another country, and of a different religion? There was no Englishman who would not exclaim at the existence of such a state of things; and he asked, was it unreasonable, when the people of Ireland saw that England had an Established Church professing the religion of the people, and Scotland an Established Church (differing from the Established Church of England, but professing the religion of the people), that the people of Ireland should ask—not for an Established Church—but that they should not pay a clergy, who, as they conceived, did them no service?

Mr. *Estcourt* asked the hon. and learned member for Kerry, whether he understood him rightly that it was his object to take away the property which now goes to the maintenance of the Established Church in Ireland?

Mr. *O'Connell:* Yes, certainly.

Mr. *James Grattan* said, his opinion decidedly was, that a portion of the Church property should be applied to the repairs of the church and the support of the poor. He regretted that Dr. Magee had acted so indiscreetly as to insist at first on a composition of 1,800*l.* a year for the living of Wicklow, for which he afterwards accepted of 1,500*l.* There was much to be corrected in the Church of Ireland.

Mr. *Hunt* agreed with the hon. member for Middlesex, that they ought not to be mealy-mouthed on this subject. He could see no reason why the Church property given to great families should not be resumed, and applied to public purposes, as well as the property now held by the Church. The hon. and learned member for Kerry informed them, that part of the property taken from the Catholic Church came into the possession of the Crown, another part fell to private individuals, and a third to the Established Church in Ireland. He thought it ought all to be resumed.

Mr. *Lefroy* said, the prebend of Swords was not held by Archdeacon Magee. He saw no reason why Roman Catholics should not contribute to the support of the Established Church.

Mr. *Shaw* believed Dr. Magee had nothing to do with the prebend of Swords, and there was no cure attached to the archdeaconry. The real fact was, that two or three small chapelries were united in the union of Wicklow, each unable to support a clergyman, and that one of the sinecures of which Archdeacon Magee was accused was his archdeaconry in the county of Galway. The question was, were they to have an Established Church in Ireland or not? The member for Kerry said, let all persons pay their own clergy, as they did their physician or lawyer; but the constitution of human nature was such, that unless the State took upon itself to provide religion for its subjects, they would not seek for it. If Church property was not respected, other property would not continue long safe.

Mr. *Henry Grattan* said, the Protestants of Ireland wished as much as the Catholics that some arrangement should be made with respect to Church property which would give more satisfaction. It was by the exertions of the Protestants of Wicklow that the demand of Archdeacon Magee was reduced from 1,800*l.* to 1,100*l.* He regretted the intemperate language used by the Archdeacon, in a pamphlet written by him in answer to Dr. Doyle. In this pamphlet he used these words—"There is not a priest in your Church who preaches, or who can preach, the real doctrine of salvation."

Mr. *North* said, he had the pleasure of knowing Archdeacon Magee, and he was one of the highest ornaments of the Church. Whatever doctrine he put forth, either in speech or writing, he sincerely felt, and he was more anxious for the real welfare of the people of Ireland than the loudest patriots on the other side of the House. There were, he had no doubt, Catholic gentlemen in the House who would be ready to avow this. He should not enter into the great question of the Church Establishment of Ireland; but he must express his regret, that there was no Minister present to hear the tocsin sounded against that Church, and to tell the House what advice he was prepared to give the Sovereign, in conformity with that solemn obligation into which he had lately entered. The Protestants of Ireland would not allow the Established Church of that country to be overwhelmed without a manly struggle—because it was connected with a principle which they held dear as men of conscience and character.

Colonel *Conolly* said: I rise, Sir, to disabuse the public mind of impressions which are sought to be made disadvantageous to the Established Church in Ireland. It is asserted that the payment of tithe is unjust and oppressive, and it is contended that persons are chargeable with the maintenance of a Church to which they do not belong. Sir, the right of the clergyman to his tithe has been uniformly acknowledged by the Legislature as anterior to that of the landlord to his rent; and this has been particularly recognised by the Tithe Composition Act, an Act of recent date. But, Sir, I contend that it is the property, and not the tenant, that pays the Church, and that the tenantry have found the lands they now hold subject to this charge on their taking them at rents; and that if tithe were abolished it would not at all relieve the occupant, but it would be added to the rent of the landlord. I do not, Sir, speak my own opinions; I have the highest authority for my assertion. The present Archbishop of Cashel, in a protracted conversation I had with his Grace, held these opinions, and quite satisfied me that the removal of tithe would fall more onerously on the tenant than the enforcement of it. Sir, the Church Establishment of Ireland has been spoken of in very offensive terms in this House; I have often listened to it with pain; it has been charged with bigotry and intolerance. Now, Sir, what is the case? The Church of Ireland is acting on the defensive, and if ever there was a fight "*pro aris et focis*," that is the nature of the combat the Church of Ireland is at present engaged in. Though the Church is charged in various ways, a very large number of the clergy are now deprived of their ordinary revenues, and many clergymen are actually in a state of destitution. It has been my fate to state that on another occasion in this House. That a warfare does exist against it, that that warfare is extending, and will soon extend to rents, there cannot be any question; and that it is advanced for the purpose of destroying the Established Church, the principal link between Great Britain and Ireland, I cannot entertain a doubt.

Mr. *James E. Gordon* said, if night after night attacks were made upon the Established Church, he would read the oath which Catholics had taken not to upset it, and would proceed to ulterior measures in that respect. In fact, he would re-agitate the Catholic Question from the circumference to the centre of the empire.

Petition to be printed.

TREGONY PETITION.] Mr *O'Connell* rose to move the Order of the Day for resuming the debate on the Petition of Mr. Gurney, relative to the Tregony election. The Committee on this election had refused to hear allegations as to bribery, inasmuch as the petitioner was neither a candidate nor an elector. He cast no imputation, however, upon the Committee; there was no imputation on the returning officer; and he would not enter upon the law of the case, although he considered it worthy of consideration by a Select Committee. As the Committee upon the election had declared the petition against the sitting Members to be frivolous and vexatious, there was no doubt that the petitioners, one and all, were liable to the costs of the appeal. What he meant to insist upon was, the right of contribution amongst the whole of the petitioners, under the sixty-fourth clause of the Grenville Act. The fifty-seventh section of the Act expressly said, that although any one petitioner might be sued for the costs, yet that such person should have an equal right of recovery against all the other petitioners as was taken against him in the first instance. The award of payment of costs rested with a particular officer, and his certificate was conclusive in a Court of Law. In this case the officer taxed the costs, and fixed them on Mr. Gurney alone, and by so doing had deprived him of contribution under the sixty-fourth section of the Act. Here there were two questions; first, had the officer done wrong? And secondly, if such wrong existed, was Mr. Gurney to have no remedy? He contended that the certificate, as issued by the officer, was erroneous, and therefore, that Mr. Gurney was entitled to a remedy. He wished, therefore, for the appointment of a Select Committee to investigate a subject which he thought to be of considerable importance.

The *Speaker* said, the first question here was, whether the petition of Mr. Gurney should now lie on the Table? The petition was a very long one, and could not be received without being printed. That was done, and then came the question whether this petition should be received or not, inasmuch as it complained of the decision of the Committee? That was now abandoned; and then came the question as to whether the taxing officers under the Act had or had not performed their duty in making only one of the petitioners liable to the costs, and thereby precluding him from his remedy against his co-petitioner? The Act alluded to provided for this case, and upon the report of the taxing officers, the certificate must issue as it had done in this case. By 28th George 3rd, the costs having been taxed, any one of the petitioners might be proceeded against, and by the 52nd of the same King, additional security was given for costs, and the 9th George 4th, gave a remedy against the surety who petitioned against an election, such surety being obliged to enter into a bond to the amount of 1,000*l.* The House should consider whether they had jurisdiction in this case, which, after all, was the first and only material question.

Mr. *O'Connell* said, after what had fallen from Mr. Speaker, he would withdraw the petition for the present.

Lord *G. Somerset*, as Chairman of this election, said he was glad the petition was withdrawn, for he could say, that the Committee had taken great pains in the investigation of this election.

Mr. *Shaw* begged to acknowledge to the hon. and learned member for Kerry, that he had brought this matter forward in the most candid and manly manner.

Petition withdrawn.

SUGAR REFINING ACT.] Lord Althorp moved the Order of the Day for the further consideration of the report of the Reform Bill.

Mr. *Burge* begged leave to inquire what day the noble Lord meant to fix on for the further consideration of the report on the Sugar Refining Bill. The large minority, or rather the very trifling majority, the other evening on that Bill, evinced the anxiety and necessity of a thorough discussion of its principle, and probable operation, and it was plain such a discussion could not be ensured, if the Order of the Day were moved after the House had concluded its ordinary labours, that is, at two o'clock in the morning. Hon. Members would then naturally betake themselves to repose, and the subject could not be fairly examined unless the noble Lord consented to fix a day apart for the discussion. He had an amendment to propose when the question should come before the House, to the effect that a Select Committee should inquire into the effect on the West-Indian interests of the proposed plan of home refining.

Lord *Althorp* could not fix a day for the discussion, but would give due notice, so as to afford hon. Members the opportunity they desired of expressing their sentiments on the bill.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—FURTHER CONSIDERATION OF THE REPORT.] The Order of the Day read for the further consideration of the Report of the Committee on the Reform of Parliament (England) Bill.

Several clauses were, with some verbal amendments, agreed to.

On the clause respecting Courts of Registration,

Mr. *C. W. Wynn* wished to know if the number of Courts of Registration in each county was to be specified. There was a provision that no one was to go more than fifteen miles to vote, but there was no regulation as to the distance persons might have to go to prove their votes. He must further observe, that there were no directions who were to attend such Courts, and no person would be able to tell what Court he was to attend.

Lord *Althorp* said, he was unable to give a precise answer to his right hon. friend. The point was new—he did not remember to have heard it urged in the Committee.

Upon that part of the thirty-ninth clause which directs justices of the peace in Quarter Sessions to divide their respective counties into convenient districts for polling, and to appoint in each district a convenient place for taking the poll at all future elections of knights of the shire, in such manner that no person shall have to travel more than fifteen miles from the property in respect of which he claims to vote,

Mr. *C. W. Wynn* said, he had great doubts whether this clause would answer its proposed purpose. If voters were to be carried fifteen miles, they would certainly require some refreshment, and they would have it, if not from the candidates themselves, from their friends and adherents. Much expense must also be incurred in carrying people that distance and back again. If the objects of economy and prevention of excitement were to be fully attained, polls must be parochial or nearly so. There were many difficulties, he confessed, in this project, but he thought it might be possible to accomplish the proposed purposes better than by the clause under consideration.

Lord *Althorp* said, he must admit, that in all county elections there must be a certain expense in conveying voters, but he thought it would be very small under the new, as compared to the old system. If voters could poll in their respective parishes, he was prepared to admit that it would be an excellent arrangement; but as a set-off against travelling expenses, agents and poll-clerks must be employed in each village, and their expenses would probably exceed the expense of carriage. On the whole, therefore, he was favourable to the plan proposed in the clause, by which, even in the largest counties, no voters would have to travel a greater distance than fifteen miles, and the majority a considerably less distance; and as most county voters had conveyances of their own, he believed the present would turn out, after all, the cheaper arrangement.

Mr. *Baring* did not see so much disadvantage with regard to voting as to registration. He thought it would have been better to have had a separate bill for that object alone, which, if then found unfit for the intended purpose, could have been repealed, altered, or modified without causing the excitement that any attempt to alter the whole Bill would create. He thought, further, it would be found necessary to vest the returning officer with some discretionary power to prolong the time of an election. He had known instances where the voters of one particular candidate could not be brought up to vote until the third day.

Clause agreed to.

The Amendments in the other clauses were all agreed to.

The *Speaker* then asked if any hon. Member had any clause to propose?

Mr. Alderman *Wood* proposed a clause making it imperative on the clerks of the different livery companies of the city of London to furnish every year to the town clerk, a return of the different liverymen in each company entitled to vote.

Lord *Althorp* agreed that, from the peculiar nature of the local regulations of the city of London, such a clause was necessary.

Mr. *Goulburn* complained, that the wording of this clause was almost as long as the Bill itself. It introduced into the city of London a regulation which was not to prevail in other parts of the kingdom. In that city the clerks of the livery companies were to make out a list of the voters—in other places, that list was to be made out by the overseers of the parish in which the voters resided.

Clause agreed to.

Colonel *Sibthorp* rose to make the Motion of which he had given notice, with respect to the four parishes which the noble Lord, by his Bill, had, in schedule H, taken from the division of Kesteven, in the county of Lincoln, and placed in the division of Lindsey. His Motion was, to restore them to the former district. By an Act of Parliament in 1812, for regulating the navigation of the river Witham, it was provided, that the Magistrates acting under that Act, should take cognizance of all the southern side of that river in the county of the city of Lincoln, including the four parishes he had alluded to; and that they should be all considered as in the division of Kesteven. Not only was it proposed by the Bill to break up that arrangement, but the effect would be to deprive the freeholders in those parishes of the rights which they at present enjoyed. In order, therefore, to remedy the grievance complained of, he would move a clause to the effect, "That all freeholders whose freeholds in the county of the city of Lincoln are situated on the northern side of the river Witham, shall vote in future for the Representatives in Parliament for the division of Lindsey, in the county of Lincoln; and all freeholders whose freeholds are situated on the southern side of the aforesaid river Witham, in the said city, including the four parishes annexed by charter to the said county of the city of Lincoln, shall vote in future as freeholders for the Representatives in Parliament for the divisions of Kesteven and Holland; and that the same rights and powers of exercising the elective franchise, inasmuch as applies, by the present Bill, to leaseholders and copyholders in counties generally, be extended to, and exercised in future by, leaseholders and copyholders within the city and county of the city of Lincoln, with regard to the proposed respective divisions."

On the Motion that the clause be brought up,

Lord *Althorp* said, that he did not see the propriety of the division which the gallant Colonel wished for; and was of opinion, that the parishes in question would gain rather than lose by the arrangement which had been made respecting them.

Mr. *Wilks*, while he admitted that the division recommended by the gallant Colonel was the natural one, thought that inconvenience might arise to the voters, in consequence of the distance they might have to go to the place of poll, should the proposition be adopted.

Mr. *Croker* said, the noble Lord had consented to a similar arrangement with that now proposed with regard to Bristol, and he saw no reason why it could not also be acted on in Lincoln.

Lord *John Russell* said, that unless some special reason were assigned, a town like Lincoln ought not to be divided into two counties, or parts of counties.

Colonel *Sibthorp* knew it was the most anxious desire of all the freeholders to preserve their franchise in the division of the county to which they belonged.

Lord *Althorp* said, he did not think the hon. and gallant officer had thrown any new light upon the subject. The Motion had been already discussed, and as he had given his opinion on it before, it was of no use to again repeat it. He should certainly oppose the Motion.

Clause withdrawn.

Colonel *Sibthorp* again rose to bring forward the other motion of which he had given notice—namely " to disqualify from any future power of exercising the elective franchise, all persons holding official civil situations during the pleasure of the Crown." He confessed that it was with great surprise that, in the recent debate on the Dublin Election, he had heard the right hon. Chief Secretary for Ireland state, that " It could not be disguised or denied that the Government had been naturally anxious that the views which they took of a great political question should be supported by their dependents." He must say he entirely differed from the right hon. Gentleman, and was astonished that such doctrines should proceed from those who had talked so much of the expediency of the independent and uncontrolled election of Members of Parliament, and who had declared that the object of the Bill before the House was to strike at the root of all that corruption, which proceeded from what they termed the boroughmongering system. Under these circumstances, it naturally occurred to him to consider how Government might be disposed to influence the conduct of their dependents under this new Bill. When he looked at the Acts of Parliament by which even Captains of revenue cutters, Commissioners of Customs, and persons in similar capacities, were deprived of the elective franchise, he wished to ask what, under the 10*l.* household franchise, would be the state of Greenwich, Woolwich, Dover, &c.? The hon. and gallant Member concluded by moving, that all persons who actually enjoyed any situation or office under the control or pleasure of the Crown, or of the heads of Departments, or others directly or indirectly connected with the public Civil Service, or any person receiving fees or salaries under Government, should be disqualified to vote for Representatives during that time, and within six months of holding the situation or office.

Lord *John Russell* said, this undoubtedly was a most important business, and, if brought forward at all, should be made the subject of a separate Bill. If it was brought forward in that shape he would give it his best consideration.

Sir *Charles Wetherell* observed, that if this principle were to be put in action, the Reform Bill should have been divided into twenty-five separate Bills.

Mr. *Shaw* supported the Motion, and alluded to the gross instances of Government interference at the late Dublin election, in illustration of the necessity of not allowing persons dependent upon Government to vote at elections. The hon. Member was proceeding to make a statement in defence of Mr. Long, and in answer to the charges brought against this gentleman by the right hon. Secretary for Ireland on a former evening, but was prevented by calls to order.

Sir *Richard Vyvyan* thought, the substance of this amendment ought to have been embodied in the Bill, as it was founded upon a principle which had been strongly supported by the hon. Gentlemen opposite, when they were on the Opposition side of the House. He observed, also, that he did not consider it usual to interrupt an hon. Member when he was making a statement which might be regarded personal.

Lord *Althorp* said, he had never heard any favourable opinion expressed by Ministers, when out of office, connected with the principle of the amendment. He should certainly have opposed it for one, but, at all events, there was neither time nor opportunity at present to discuss such an important subject. He should, therefore, oppose the clause being brought up.

Mr. *Croker* declared, he could not join the hon. and gallant Member in any further disfranchisement.

Mr. *Hudson Gurney* said, he never could sanction such a principle, that persons were to be disfranchised because they happened to be in the public service: they were generally persons able to exercise a sound discretion; the principle was highly objectionable.

Motion withdrawn.

Mr. *Croker* said, that for the purpose of recording upon the Journals his opposition, and that of hon. Members around him, to the two disfranchising clauses, he would now move as an amendment on the first clause, "That all words after 'And be it enacted that,' should be left out."

The Motion was seconded by Lord Stormont, but negatived without a division, for which the hon. Member stated it was not his intention to press.

Mr. Croker then made a similar motion with respect to the second clause, which was negatived in like manner.

Lord Althorp moved, as an amendment, in conformity with the explanation given by his noble friend (Lord John Russell) on a former evening, that in the 12th clause, instead of the words "The county of Glamorgan," the words "The counties of Carmarthen, Denbigh, and Glamorgan," should be inserted.

Lord *Stormont* had understood no new county Members were to be allowed to Scotland, and if the principle of population was now to be acted on with regard to Wales, it ought also to be extended to the other country, in which there were several counties which contained four or five times as large a population as those of Wales.

Lord *Althorp* said, he did not feel himself called upon then to enter into the subject; the proper time to discuss it would be when the Reform Bill for Scotland was before the House.

Sir *George Warrender* begged leave to be permitted to say, that the conduct of Ministers, with regard to Wales, induced him to indulge in the hope that the claims of the Scotch counties would be more fully considered. They had stronger claims than those of Wales to additional Representation, for they were far more populous and rich. He had no doubt that attempts would be made to give them this addition, when the Reform Bill for that country came under the consideration of the House, and he hoped the noble Lord would be prepared to concede their claims, as he had so very properly given way on this occasion.

Mr. *Croker* regretted that he was likely to destroy the hon. Baronet's hopes, but he must do the noble Lord the justice to say, that he had very boldly and frankly admitted in answer to a question addressed to him by an hon. friend of his, that Government had no intention to increase the number of the Scotch county Members, for which determination, however, the noble Lord had assigned no reasons.

Lord *Althorp* said, he had declared he would assign his reasons when the Scotch Reform Bill was before the House.

Mr. *C. W. Wynn* merely rose to express his satisfaction at hearing of the addition of Members proposed for Wales. It was doing, in fact, that justice to the Principality which it deserved, but he thought there was yet some distinction made between some of the counties of England and that country.

Motion agreed to.

Sir *John Owen* rose to propose as an amendment, that the county of Pembroke should be added to the list of those Welch counties to which an additional Member was to be apportioned. He was aware, however, that it was of no use to divide the Committee.

Lord *Althorp* opposed the amendment.

Amendment negatived.

Mr. *James L. Knight* complained that a return, which he had moved for on the 17th of August, of a copy of the letters-patent under which the Governor of the Isle of Wight holds that office, was not yet laid upon the Table. It related to a question of considerable importance—namely, whether there was a Sheriff in the island or not.

Lord *Althorp* said, he had inquired into the matter, and he found that there was a Sheriff of the island, and that that office was filled by the Governor for the time being.

Mr. *James L. Knight* said, that if the Governor was the Sheriff, of which there was no proof before the House, it was a great constitutional anomaly, that, as a military officer, he should execute the office of Sheriff.

The *Attorney General* said, that he had no means of stating why the return had not been made. As to the Governor being a military officer, every Sheriff had a military power, and was, under certain circumstances, a military officer. The Sheriff of Westmorland was always a military officer.

Mr. *Goulburn* observed, that patents were recorded in the proper office, and the information might be procured from thence. They were not bound to send to the Governor for a copy.

Mr. *Bonham Carter* had understood, upon inquiry, that the Governor of the Isle of Wight was, by his patent, constituted Sheriff and Coroner of the island, and was directed to hold Knights' Courts there. For several years past the Stewards, who were his deputies, had not exercised the duties of Sheriff, but the Knights' Courts had been held, and the Coroners for the island were not elected as in other parts of the country.

Mr. *Croker* remarked, that the information of the hon. and learned Gentleman appeared, after all, to be only hearsay; and, for himself, he must disbelieve in the existence of the authority of the Governor as Sheriff, until he should actually see the patent creating it.

Mr. *Baring* thought it was the duty of the Secretary of State of the Home Department to see the order of the House carried into execution. It would be quite satisfactory if his noble friend would engage that the copy of the patent should be produced before the third reading.

Lord *Althorp* had no objection to that understanding.

Mr. *James L. Knight* repeated, that it was of great importance that this information should be before the House; he had mentioned it in the Committee twice and several times privately to Gentlemen connected with his Majesty's Government.

Lord *Althorp* then moved the omission of the proviso in the 16th clause, "that nothing herein contained shall take away, or in any manner affect, the right of voting in the election of a Knight or Knights of the Shire, at present enjoyed by any person, or which may hereafter accrue to any person according to the laws now in force, in respect of any freehold property, rent charges, annuities, or any other right of voting now by law enjoyed in relation to the election of a Knight or Knights of the Shire." He proposed the omission because he had ascertained that the words were unnecessary. They were accordingly expunged.

Lord Althorp then moved a verbal amendment in the 33rd clause, which was agreed to.

Lord *John Russell* said, that some observations had been made with respect to the jurisdiction of an Election Committee appointed by the House. Such a Committee had the power to alter the poll, and order the return to be amended, but could not alter the registry of the votes. Now, if that continued wrong, the poll and the return at the election might again be bad; to prevent which, he proposed to invest the Committee with the power of altering the registry of votes. He would, therefore, propose to insert the words, "and may direct the registry to be amended."

Mr. *C. W. Wynn* thought, that such an amendment would be placing great power in the hands of a Committee. The House ought to be very cautious how they delegated their powers to Committees; and, in his opinion, it would be better if the amendment went no further than to let the Committee report on the necessity of an amendment, leaving the House to adopt it, in pursuance of such Report, if it thought proper.

Lord *John Russell* thought, he should obviate every objection by proposing that the clause should stand as follows—to expunge the words "direct the return to be amended accordingly, or declare the election void as the case may be," and insert these, "shall report the same to the House, and the return shall be amended, or the election declared void, as the case may be, and the register amended accordingly."

Amendment agreed to.

Mr. *C. W. Wynn* said, there was a provision in the 44th clause, directing that a Committee of the House of Commons should assess the amount of a Barrister's costs and charges. He thought it would be much better that this duty should be discharged by proper taxing officers.

Lord *Althorp* said, the duties of the Committee would be extremely simple, and he did not consider it involved any point of law.

Mr. *C. W. Wynn* said, he had no desire to see a Committee of the House of Commons converted into a Law Court, for the purpose of assessing costs and damages. Such a Committee ought to be purely political; and he therefore was of opinion, that the old Election Laws should be adhered to.

Mr. *Goulburn* begged to ask the hon. and learned Gentleman opposite, how a party to whom costs and damages had been given by a Committee of the House of Commons, was to recover them.

The *Attorney General* said, that the amount awarded could be recovered in a Court of Law.

Lord Althorp moved, that the proviso at the end of clause 44, viz. " That nothing in this Act contained shall prevent any Sheriff, or other returning officer, or their lawful deputies, from closing the poll previous to the expiration of the time fixed by this Act, in any case where the same might have been lawfully closed before the passing of the Act," be struck out. This proviso was unnecessary, because the proviso at the end of clause 48 was to the same effect.

Mr. *Baring* suggested again, that it would be advisable to allow the returning officer some discretionary power to prolong the time of an election contest under particular circumstances. It might happen that one candidate, by means of having a strong party among the lower orders of voters, of whom there would be under the Bill a large increase, would prevent his opponent's electors being brought up to the poll in due time.

Lord *Althorp* said, the persons who created riots at elections were not generally voters, nor did he see the clause was likely to have the effects apprehended by the hon. Gentleman. He should certainly oppose any additional discretionary power being invested in the returning officer.

Amendment agreed to.

Lord *John Russell* moved, that in clause 49 the words " public notice in writing " be substituted for the words " public notice."—Agreed to.

The next was clause 50: on its being read,

Lord *Althorp* said, that acting upon the suggestion of an hon. relative of his, he would propose the introduction of a provision into this clause to enable returning officers to hire houses for the purpose of taking the poll instead of erecting booths, if they should so think fit, such houses to be liable to all the regulations which applied to booths under similar circumstances.—An Amendment to that effect was accordingly proposed.

Mr. *John Campbell* said, he very much approved of the provision proposed, but he would suggest some other word than " hiring" should be introduced, because it would be more convenient if Court-houses, and other buildings of that description, could be made available for the purpose of holding elections.—Agreed to.

Mr. *Baring* said, he would suggest some alteration should be made in the 51st clause: it enacted, that a person proposing a candidate should be liable to all the expense of proposing such candidate. No expense was incurred by the simple act of proposing a candidate. He thought, therefore, it would be an improvement in the clause, that it made a person liable only if he called for a poll, after proposing a candidate.

Lord *Althorp*, the suggestion of the hon. Gentleman, would leave the case precisely as it stood at present. Under the existing system, if a person proposed and then polled for a candidate, unknown to the Sheriff in his official capacity, such person was not liable to all the expenses incurred. This had been often taken advantage of for the purpose of prolonging an election, which it was one of the objects of the Bill to prevent; he (Lord Althorp) was therefore of opinion, the most effectual way to put an end to this system was, to let such persons know they would be saddled with the expenditure incurred.

Mr. *Thomas Duncombe* rose to bring forward the Amendment of which he had given notice, for transferring the borough of Aldborough, in Yorkshire, from schedule B to schedule A, and thereby depriving it altogether of the right of returning a Member to Parliament. He should not, he said, persist in this Motion if he for a moment thought that it was opposed to the principle of this schedule, which had attracted more of the public admiration than any other part of the Bill or if he did not consider that such an amendment was in strict conformity with the general principles of the Bill. As a Reformer he could not permit such a blemish on the Representation of the country as this Aldborough was, to exist, but he would endeavour, if he could, to remove it. In the first Reform Bill which had been introduced by Ministers, Aldborough stood at the head of schedule A. It was afterwards, however, transferred to schedule B, but upon what representation, or rather misrepresentation, his Majesty's Ministers had been induced to take such a step, he could not say. He should, at all events, like to know who the physician was by whom such a miraculous change had been effected in old Aldborough's constitution. The population of Boroughbridge, which joined Aldborough, amounted to 900; that of Aldborough itself to 400; making a total population of men, women, and children of 1,300. The other places which were included in order to raise the population of Aldborough beyond the line of 2,000, had no connexion at all with that insignificant borough. It was true that Boroughbridge was a tolerably decent place. It could boast of a good inn, a coal-yard, a timber-yard, and a resident apothecary. It was also a market-town, and there was a fair, too, held there, which was famous for the riotous and drunken scenes enacted at it—principally caused, he must say, by the Scotchmen who came there. If the constituents in Boroughbridge and Aldborough were entitled to retain the franchise, why not incorporate them with Ripon? or he would say, let them give this Aldborough Member to Doncaster, by which means they would not deprive the county of York of a Member. Boroughbridge and Aldborough had been too long a disgrace to the Representative system of this country. What use was there in allowing this borough to remain, unless it was, like some houses of ill-fame left standing in Vienna, to be as a memorial of former corruption? The Duke of Newcastle, or the family of Lawson, would still retain the power of nomination. He did not mean any reflection upon that noble Duke, for there was not living a more high-minded, a more noble, a more generous character. Long might he enjoy that character; but if he wished to increase and preserve it, it was not by infringing on those rights which properly belonged to the people of England. He could not expect that his Motion would be supported by Anti-reformers, or by sham Reformers; but in justice to Old Sarum, in justice to Gatton, he required the extinction of Aldborough, that Old Sarum of the North. He hoped upon this occasion Ministers would not join the ranks of the Opposition. They would then, indeed, be in bad company. Let them at least act on the same principle as they did in their foreign policy—on the principle of non-intervention. Let them leave the matter between the real Reformers on his side of the House, and the Anti-reformers on the other, and then, he would answer for the consequence; they should soon be able to give a good account of Aldborough. What would the Reformers of after-times say, when they learned that in such a measure as this, the borough of Aldborough was allowed to stand, the very prototype of insignificance and corruption. The hon. Member concluded by proposing his Amendment.

Sir *William Ingilby* seconded the Motion. He was well acquainted with Aldborough, and could declare that each succeeding election there, would be nothing more than a contest between the two families of Lawson and Newcastle, and he had the means of knowing, that the inhabitants were so well convinced of this fact, that they would prefer not to send a Member to the House. When boroughs were to be disfranchised on the ground of nomination, he could see no possible reason why Aldborough should escape, and be left as a bone of contention between two families.

Lord *John Russell* would put this case simply on these grounds. His Majesty's Ministers had, in framing this schedule, adopted a well-known rule, and as that rule excluded from this schedule all boroughs which had more than 2,000 inhabitants, this borough obtained the benefit of that exception. It was true, that Aldborough in the first instance stood in schedule A, but it having been subsequently represented to Ministers that by adding the borough and the parish together, the population would amount to more than 2,000, and they having found, on consulting the population returns, that that representation was correct, Aldborough was excluded from schedule A, and transferred to schedule B. Beyond that statement he had little to say why Aldborough should not be included in this schedule. He did not think that his hon. friend had made a sufficiently precise or accurate statement, such as would warrant the House in coming to the conclusion, that in this borough, in the parish, and in the immediate neighbourhood, there was not a sufficient number of 10*l.* householders to entitle it to send one Member to Parliament. Wishing to preserve as nearly as possible the principle of the Bill as originally brought forward, and thinking it better that they should avoid departing from that rule which had been laid down and acted upon in making out those schedules, he should feel it his duty to oppose the Amendment proposed by his hon. friend.

Mr. *Fynes Clinton* had no personal interest in the question. The interest in the borough would be so altered by this Bill that he could not hope to be ever again returned for it. The inhabitants of Aldborough would much prefer remaining in schedule A; and he was surprised when he heard it was placed in schedule B. The change was not made in consequence of any representations from him or his friends. It was another proof of the many anomalies and absurdities of the Bill, for there were many places exactly in the same predicament.

Lord *Morpeth* did not feel much interested one way or the other, but there were two reasons why it should remain in schedule B; first, because it was situated in an important district of the county; and, secondly, because it came within the line of 2,000 inhabitants. He had not so much knowledge of the vicinity as his hon. friend (Mr. Duncombe) collected from his contiguous residence; but he believed Milly belonged to Aldborough, for an antiquarian friend informed him that Milly derived its name from the circumstance of being *mille passuum de Burgo.* He should certainly prefer having the Member given to Doncaster or Barnsley, but as Aldborough came within the line it was better not to re-open the case, *quieta non movere.*

Sir *Charles Wetherell* said, he was out of the scrape. Though the hon. Member who made the Motion, in the course of his speech seemed often to throw a longing lingering look at him, he could assure him that he had no concern with Aldborough. He must express his thanks to the hon. Member for the language he made use of upon this occasion, in reference to an illustrious individual, the Duke of Newcastle. Whatever might have fallen from the member for Hertford before, in the heat, perhaps, of debate, he now spoke of that illustrious person in terms descriptive of his true character—of his generous, disinterested, noble, and independent character. From whatever quarter representations might have been made to place Aldborough in schedule B, they certainly did not proceed from that eminent person. By the arrangements of this Bill, the interest of that noble Duke in Aldborough would be completely swamped, as one right hon. Gentleman expressed it, or sluiced, as it had been expressed by another. For his part, he had no more chance than the member for Hertford himself of being returned for Aldborough, and perhaps less; for if the voters heard the able and humorous speech of the hon. Member, it must prove a powerful recommendation to their support. If those infectious diseases which the hon. Member imported from Vienna, should be communicated to Aldborough, there was no fear that he would catch them, for he did not mean to go there, not even within the *mille passus* of the noble Lord. That noble Lord (Morpeth) said he would vote for retaining Aldborough in schedule B, though he gave no convincing reasons for it; he did not even come within his own *mille passus* of any reason that would not equally apply to other places. They heard much of corrupt Aldborough, but never heard any thing of corrupt Tavistock, of corrupt Knaresborough, of corrupt Calne, or Ripon, or Horsham. Why not speak of the Duke of Devonshire's boroughs, of the Duke of Norfolk's, of the Marquis of Lansdown's, as well as the Duke of Newcastle's. The former were never mentioned, while the name of the illustrious individual to whom the member for Hertford so justly attributed so many eminent qualities, was bandied about, and vilely traduced in the scurrilous publications of the day. What reason was there for this? No other reason but because one was the Duke of Newcastle, and the other the Duke of Devonshire. Though he admitted the force of the hon. Gentleman's arguments, he could not vote with him; and for this reason, because he could not vote for the disfranchisement of any place. It belonged to those who prepared the Bill, and not to him, to vindicate their own principle, and to show why Aldborough should be represented, while many large places in Yorkshire remained unrepresented. It was a second edition of the Bill; it was disgraceful altogether, and he would not disfranchise Aldborough.

Mr. *Henry Lytton Bulwer* said, that after what they had heard from the hon. member for Hertford, and according to the principles of the Bill, no place could more properly come within the line of disfranchisement than Aldborough. He begged to be permitted to ask, if large commercial towns in the immediate vicinity of such a place, would be satisfied to find themselves excluded from all representation, while Aldborough was retained in schedule B. He was, therefore, willing to see such a blot removed and would support the Motion of his hon. friend.

Mr. *Croker* must declare, that according as he understood the principle laid down in the Bill, Aldborough, even with the townships that had been added to it, was not a place which came within that principle. At the same time, he could not vote with the hon. Member, as he could never consent to the disfranchisement of any borough on principles so wild and vague as those of the present measure. Neither could he vote against him, for that would have the effect of placing it in schedule B. He was not disposed to place it in either schedule.

Sir *John Johnstone* merely desired to remark upon one allusion of the hon. and learned Gentleman, who had compared the Duke of Newcastle with other noble Dukes; but there was this difference between them, the latter were most anxious for the Reform Bill, while the former, who, he was ready to admit, was a most honourable man, was against it.

The House divided on the Motion:—Ayes 64; Noes 149;—Majority 85.

List of the Ayes.

Acheson, Lord
Barratt, J. C.
Biddulph, M.
Blamire, W.
Burton, H.
Bulwer, H. L.
Buller, J.
Bouverie, Hon. P. P.
Campbell, J.
Clive, H.
Currie, J.
Chandos, Marquis
Cradock, Colonel
Denison, W. J.
Dundas, Hon. J. C.
Dundas, Hon. T.
Easthope, J.
Etwall, R.
Evans, Colonel
Ewart, W.
Ferguson, Sir R.
Grattan, H.
Grattan, J.
Harvey, D. W.
Hughes, H.
Hutchinson, J. H.
Jephson, C. D. O.
Jerningham, Hon. H.
Labouchere, H.
Lefevre, C. S.
Lennox, Lord G.
Lennox, Lord A.
Lester, B. L.
Martin, J.
Milbank, M.
Mills, J.
Moreton, Hon. H.
Ossory, Lord
Paget, T.
Phillipps, C. M.
Price, P.
Protheroe, E.
Ramsbottom, J.
Rickford, W.
Rochfort, G.
Robinson, Sir G.
Ruthven, E. S.
Rider, T.
Smith, J. A.
Smith, M.
Stanhope, Captain
Stewart, Lord J.
Strutt, E.
Tomes, J.
Troubridge, Captain
Vincent, Sir F.
Watson, Hon. R.
Wason, R.
Wilbraham, G.
Williamson, Sir H.
Westenra, Hon. H.
Williams, Sir J.
Wilks, J.

TELLERS.

Ingilby, Sir W.
Duncombe, T.

The Marquis of *Chandos* said, it was notorious that the seats for the borough of Evesham (Worcestershire), had been for years past sold, and that it was utterly unworthy to return Members to Parliament. He therefore begged leave to move, that the borough of Evesham be inserted in schedule A.

Lord *John Russell* had no intention to deny that Evesham had been a corrupt place, but the inquiry which the noble Lord proposed to institute last year, had not taken place, and as the borough did not fall within the rule they had laid down, they could not look at its alleged corruption.

Sir *Charles Wetherell* said, it was clear that if the Reform Bill had not intervened, they should most likely have disfranchised this borough after due inquiry; but it was one of the stratagems of the Reformers, when the present sweeping measure was introduced, to put a stop to all gradual Reform. He was of opinion that they could not disfranchise this borough without going through the same forms as if it were pure. He therefore hoped his noble friend would not press his Motion.

Mr. *Burge* said, a Committee of the House had reported this borough to be corrupt, and that was a ground of Reform on which they ought to proceed. He was opposed to disfranchisement as practised by this Bill, but he could vote for the Motion on grounds previously sanctioned by Parliament.

Sir *George Warrender* said, it was perfectly true that a Committee had reported that the borough was corrupt, but there was no proof that the majority of the electors were corrupt, and in the cases of Aylesbury, Shoreham, and East Retford, the House was most anxious to establish, that the majority of electors had been bribed before they proceeded to disfranchise these boroughs. He was himself an elector of that place, and there were many other gentlemen of the vicinity in the same situation. He presumed it would not be said they were corrupt. It was, therefore, a little too much to deprive Evesham of its franchise in a summary manner, when, by the principle under which they had acted, it ought to lose but one Member. He had opposed every clause for disfranchisement in this Bill, and intended to do so as to this Motion.

Mr. *John Campbell* said, if the inquiry into the case of Evesham had been carried on, he had no doubt the borough would have been proved to have been most corrupt. However, he must oppose the Motion, as that would be disfranchising without evidence. In the cases of Shoreham, Cricklade, &c, the examination of witnesses took place at the Bar, after the Report of the Committee had been received, and it was after a verdict of Guilty given in that and the other House of Parliament, that disfranchisement took place, but here the noble Marquis wished them to condemn without any trial whatever.

Mr. *Goulburn* said, after the manner in which the noble Marquis was foiled last year, it was reasonable and natural that he should bring forward his present Motion, though he could not concur with the noble Marquis for the reason that had been given by his hon. and learned friend. But it was somewhat remarkable, that had the noble Marquis succeeded against the place last year, the consequence would have been, that Evesham would have, by including the surrounding hundreds, had two Members instead of one, in the same manner as the other boroughs disfranchised under similar circumstances.

Lord *Eastnor* observed, the Bill before them would effect an entire change in the constituency, so that the punishment would not fall upon the guilty old constituency, but upon the new one which was about to be created, and which at present was wholly innocent of the charge of corruption.

The Marquis of *Chandos* thought there could be but one opinion as to the corruption of Evesham, after all the information which had been laid before the House; and he therefore thought, they would be fully justified in punishing that borough in the proposed manner. However, as many of his hon. friends appeared to hold different opinions, he would not trouble the House to divide upon his Motion, although he could not help remarking, that Ministers must have the credit of saving as corrupt a borough as any in the country.

The question, "that the borough of Evesham be inserted in schedule A," negatived.

Mr. *Croker* said, after the division which had just taken place with regard to Aldborough, which had retained its station in schedule B, he could not doubt that the House would extend the same favour to the borough of Downton. Aldborough had been, by a great majority, preserved, because it passed the line of 2,000 by about 150; now Downton passed the line by 1,500, and he could not imagine why, by the application of the self same rule, Downton was not to be preserved. He begged leave therefore to move, that Downton be removed from schedule A to schedule B.

Lord *Althorp* said, the case of this borough had been so fully argued in the Committee, that there could be no necessity for him to again go over the same ground. Downton was a decayed and inconsiderable place, and had no right whatever to continue to be represented.

An *Hon. Member* said, he knew the place, and although it was a perfect matter of indifference to him in which schedule it was placed, yet he felt bound to declare, that it was not so insignificant a place as the description of the noble Lord might lead the House to suppose.

The question that Downton, Wilts, be placed in schedule B, was put, and the House divided—Ayes 43; Noes 96—Majority 53.

Mr. *Croker* trusted the noble Lord would be content for that night. The divisions that had taken place with regard to Aldborough and Downton, rendered it imperative on him to take the sense of the House in the case of St. Germain's.

Mr. *Goulburn* hoped the hon. and learned Gentleman (the Attorney General) would prepare the clause of which he had given notice as soon as possible, as it was most desirable the Bill should appear as it was intended to stand without any further delay, as the third reading was said to be so near at hand.

Further consideration of the Report adjourned till next day.

HOUSE OF LORDS,

Thursday, September 15, 1831.

MINUTES.] New Peers. The Marquis of BREDALBANE; the Earl of LICHFIELD; Lord CLONCURRY; and Lord SAUMAREZ, took the Oaths and their seats.

Petitions presented. By a NOBLE LORD, from the Corporation of Cutlers, Dublin, for compensation to the Coal Meters. By Lord BOSTON, from the Inhabitants of Beaumaris for the regulation of Steam Vessels. By Lord DUNDAS, from Mile-end, for Amendments in the Beer Act.

PORTUGAL.] The Earl of *Aberdeen*, after stating that a noble friend of his (the Duke of Wellington) was anxious to be present at some of the stages of the London Coal Delivery Bill, before it finally passed, observed, that he understood that the noble Earl at the head of the Administration had last night contradicted a statement which had been made, by him and his noble friend (the Duke of Wellington) relative to certain proceedings, chiefly relative to commercial demands made by the French Admiral in the Tagus. He had been unable, from indisposition, to attend the House for some days, and the contradiction had been given in his absence. He now, therefore, wished to state, that he and his noble friend were perfectly prepared to show that they had not made the statements on erroneous information, but were ready to prove the truth of them. For himself and the noble Duke he repeated the statements, and asserted, that they were prepared to substantiate them. He would say no more on the subject, at present as the noble Earl was not in his place, and, as he understood, would not be able to attend till Monday.

The *Lord Chancellor* requested, that, the noble Earl would please to observe, that his noble friend at the head of the Ministry had not volunteered the contradiction. His noble friend laid some papers on the Table, and a noble Marquis took occasion to make a speech, and then his noble friend had made the observation alluded to; certainly not from any disposition to make it in the absence of the noble Earl rather than in his presence. The noble Earl would perceive, that the making that observation, when led to it by the speech of the noble Marquis, was a very different thing from volunteering it in the absence of the noble Duke and the noble Earl. As to the matter itself, he knew nothing about it.

The Earl of *Aberdeen* did not mean to impute it as a matter of blame to the noble Earl at the head of the Administration, that he had made the statement in his absence, under the circumstances mentioned; but merely mentioned the fact, that it had been made in his absence; and that he had, therefore, not had an immediate opportunity of supporting his assertion, and replying to the statement of the noble Earl. When his noble friend and the noble Earl should be in their places, he would then be ready to prove, that the statements of his noble friend and himself, as to the proceedings of the French Admiral while in the Tagus, were correct.

The Marquis of *Londonderry* said, that it had been imputed to him by the noble Earl (Grey), that he had made the statement to which his noble friend alluded. He had not made any such statement.

Viscount *Melbourne* observed, that this was another illustration of the great inconvenience of making speeches, and entering upon discussions when putting questions. This practice had grown up to a most inconvenient extent, and on these occasions, as those who were to answer the questions could not always be prepared at the moment, inaccuracies would naturally some times occur, both in the answers and the discussions. The inference from all which was, that the practice ought to be discontinued.

The Marquis of *Londonderry* had given notice of a motion for papers, but before he could make it, the noble Earl granted the papers, for which he thanked the noble Earl and so the debate arose, in the course of which he had been violently attacked, both by the noble Earl and the noble and learned Lord on the Woolsack

CHOLERA MORBUS.] Viscount *Strangford* was inclined to follow the advice of the noble Viscount (Melbourne); but still he thought it important to ask the noble Lord at the head of the Board of Trade, whether any steps had been taken towards setting aside an Ordinance of the Neapolitan government, requiring quarantine to be performed by British vessels on account of the cholera morbus. That Ordinance purported to be founded on certain information, that the cholera morbus had broken out in the north-west of Ireland, and the consequence was, that vessels of the United Kingdom were subjected to a quarantine of forty days in the Neapolitan dominions. This was a very great inconvenience to the British trade; and he had further to add, that the quarantine was more strict at Palermo than even at Naples, for there they actually took the sugars—an article not very likely to carry infection—out of the casks, and passed the casks through salt water. The fact was, that the government of the two Sicilies farmed out the quarantine dues, and so it became the interest of the farmers of these revenues to find out as many pretences for quarantine as they possibly could, and they disregarded the British clean bills of health. Since he was on his legs he would shortly again call the attention of the Government to the subject of the Wine Duties bill, as no attention whatever had been paid to what he had before stated on that subject. But, however mortifying that might be, he would persist in bringing the subject under the consideration of the House. He would assure his Majesty's Ministers, that a much stronger feeling prevailed on this subject abroad than in that House; and, however his conduct might be censured for making the remark, he would say, that those who were concerned in importing wine, however much they might desire Reform, were heartily sick of liberalism in trade.

Lord *Auckland*, in reply to the noble Viscount's question, said, that the strongest representations had been made on the subject by the Board of Trade. After the information of these proceedings had reached this country, not a day was lost in making representations to the Court of Naples, and in sending correct information on the subject, both to the Neapolitan government, and to the other Powers with whom the same misapprehension had prevailed. As to the Wine Duties, if the noble Lord would give notice of a motion on the subject, the proper attention would be paid to it.

Beer Bill.] Viscount *Melbourne* moved the recommittal of the Sale of Beer Act Amendment Bill, with a view to introduce some amendments, and proposed that after these should be introduced, the whole subject might be discussed on bringing up the Report on another day.

Lord *Suffield* took the opportunity of correcting a misunderstanding that had taken place as to what he had said on a former occasion on the subject of gambling in beer and public houses. The object which he had in view when he before adverted to the subject, was, to remove a doubt as to the competency of the Magistrates to prevent gambling in these beer-houses. He, himself, was of opinion, that the Magistrates had a right to prohibit gambling, both in the beer-houses and common public-houses; but a doubt had been entertained as to their competency to prevent it in the beer-houses. He called on the highest legal authority, therefore, to say whether his view of the question was correct or not, and if that noble and learned Lord should be of opinion that the Magistrates had the jurisdiction in the beer-houses as well as the ordinary public houses, he should be satisfied.

The *Lord Chancellor* said, that his opinion was, that the jurisdiction to suppress gambling in the common public-houses was vested in the Magistrates by the Act and the license taken together, and that provision was now extended to the beer-houses. It was of importance that illegal gambling should be suppressed in these houses, if it could be done without producing mischief as great as the evil; for this evil of gambling, as he understood, did exist to a very great extent. Of this he was informed by a worthy friend of his, Mr. Wilberforce, who had, in the course of an extensive tour through the country, had conversations on the subject with a great number of persons the best acquainted with the subject. The Clergy and Magistrates with whom Mr. Wilberforce conversed all concurred with one voice that the evil prevailed to a great extent. The object was, to place the beer and public houses in this respect on the same footing.

Viscount *Melbourne:* That was done by the Beer Act.

Lord *Suffield* ought to have explained that the misunderstanding which he wished to correct was this:—It had been understood that he had called for further powers to be placed in the hands of Magistrates, for the suppression of gambling in the public-houses and beer-houses; that was not the case. His object was and had been, to have it known, that the Magistrates had already the requisite powers for the purpose.

The Earl of *Harrowby* thought that it was highly expedient that the powers of the Magistrates should be placed on the same footing in regard to the beer-houses and the ordinary public-houses. By the general Act the Magistrates had the power of considering an offence a second offence if committed within three years of the former, but by the new Act the second offence must be committed within one year after the first. This was a material difference. With reference to the remark of the noble and learned Lord on the Woolsack, he would submit that the powers of Magistrates in respect to the license should be placed on the same footing in all houses that retailed beer.

The Bill committed and the Amendments introduced.—House resumed.

HOUSE OF COMMONS,

Thursday, September 15, 1831.

Minutes.] Returns ordered. On the Motion of Mr. Keith Douglass, the Population of the several Counties of Scotland, as enumerated in May, 1831, in so far as the same can be made up:—On the Motion of Sir Henry Hardinge, various Returns relative to the Army Half-pay and Pensions.

Petitions presented. By Mr. Hume, from Maidstone and Warborough, complaining of the Outrage committed on Mr. and Mrs. Deacle. By Mr. Tennyson, from Stamford, to accelerate the progress of the Reform Bill. By Viscount Palmerston, from two Individuals for the abolition of the Real Property Commission.

Marylebone Select Vestry.] Mr. *Hume* said, that he had a petition of great importance to present to the House from John Savage, a parishioner of Marylebone, complaining of the conduct of the Select Vestry of that parish. The petitioner had refused to pay the rates illegally imposed by the Vestry, and in consequence of that refusal, certain Magistrates had issued a warrant, without any summons, under which his goods had been seized, and were consequently to be put up to sale. He must explain to the House, that a very large portion of the parish had refused to pay these rates; and to enforce the payment of these rates, two individuals had been selected whose goods had been seized. The goods had been removed out of the parish, and taken to a sale-room in Marlborough-street. He was not aware, until this circumstance occurred, that a Vestry had the power of taking the goods out of the parish for sale. If they could take the goods one mile, they might take them fifty miles, and such a condition of the law ought not to be suffered to exist for another day. The circumstance had caused so much commotion in the parish of Marylebone, that he had felt it his duty to give notice to the Secretary of State, that it would be necessary to increase the police force to-morrow, which was the day fixed for the sale, in order to preserve the peace. He must say, that he thought the Government ought to have taken up this subject, and not have allowed a parish of 120,000 inhabitants to be taxed and governed for so long a period, by a self-elected body of persons. He was one of the parishioners who had refused to pay rates, which they had been advised were illegal, and he was, therefore, liable to have his goods seized; but he should, nevertheless, persist in his refusal.

Mr. *Wilks* said, that if the Magistrates had issued the warrant without a summons to the petitioner, they had done what was notoriously illegal, and had subjected themselves to an action, which he hoped the petitioner would institute against them, as well for his own sake, as in consideration of the duty which he owed to the public.

Petition to lie on the Table.

Liberty of the Press.] Mr. *Hume* had also a Petition to present, to which he must entreat the attention of his Majesty's Ministers. It was the petition of William Carpenter, who was a prisoner in the Court of King's Bench prison, and whose case was a strong illustration of the injustice and oppression of the Act 60 George 3rd, c. 9., which was one of the Six Acts. He held in his hand a list of the minority on the passing of that Act, and among the names in the list he found those of five of the present Cabinet Ministers, and of upwards of thirty of the supporters of the existing Government. The minority included all the principal persons of intelligence and liberality who were Members of the House of Commons which passed the Act. The present First Lord of the Admiralty, the Attorney General, and other members of the Administration, had spoken against the Act, when it was in progress through the House, under which the prisoner had been committed; and having before him the conduct and opinions of the present Ministers and their supporters, on the occasion of the passing of the Act, he could not allow himself to doubt that the law would be altered at no very distant period. He did not look at the question as one of revenue. He could not allow himself so to look at it when he was sensible that it involved much higher considerations. He considered this law as a check upon the diffusion of knowledge, and he could view it in no other light. Ignorance was the bane of the lower orders of this country, who could be drawn from paths of drunkenness and other vices by no other means than imparting knowledge to them. He must say, that he deeply regretted that a Whig Administration should have been the first to put men into prison under this Act. Let him assure the noble Lord (Althorp) and his colleagues, that nothing was so calculated to withdraw from them the confidence of the country, as finding that principles which they advocated, and conduct which they pursued while on that (the Opposition) side of the House, were lost sight of and abandoned as soon as they crossed over to the other side. The petitioner said, he was prepared to prove, that not only had there been nothing of an objectionable tendency published in his *Political Letter*, but that the good advice contained in that letter had actually prevented the commission of many acts of violence which were contemplated during the turns-out in the manufacturing districts. The petitioner also stated, that his confinement had reduced him, he believed, to his death-bed, while his wife and family at home were without the means of supporting themselves. The prayer of the petitioner was, that the penalties of 244*l.* 15*s.* which had been imposed upon him, might be remitted—since, if they were enforced, it would amount to perpetual imprisonment, and he had already been three months in confinement.

Mr. *O'Connell* would not have troubled the House on this occasion, but that he had been requested by the petitioner—who was on a bed of sickness, and whose health had been ruined by confinement—to support the prayer of the petition. He entreated hon. Members and the Government to recollect that the petitioner had not been guilty of publishing blasphemous or seditious doctrines; but that his offence was a mere violation of a law which he did not know that he was violating. Mr. Carpenter thought that the law was in his favour, but he had been guilty of no contumacy, and as soon as the point had been decided against him by a competent tribunal, he at once stopped the publication. This conduct, and the unobjectionable nature of the publication, were surely very strong circumstances in favour of the petitioner, in whose case the law had been vindicated, who had undergone already no slight punishment for his mistake, and who, therefore, he (Mr. O'Connell) must take the liberty of saying, was a person in all respects most deserving of having the royal prerogative extended for his relief. He would only add, that his hon. friend was, he believed, mistaken upon one point; for this was a prosecution under the Stamp Act, and not under the Act which his hon. friend had so justly reprobated.

Sir *Francis Burdett* concurred in all that had fallen from the hon. member for Middlesex, and the hon. and learned member for Kerry. It was impossible to deny, that the present state of the law was most mischievous, in stopping the publication of information which ought to be accessible to every one, and particularly to the lower classes. He was sure that the present Government would take the earliest opportunity of altering this part of the law; and he was equally confident, that the distressing case of the petitioner would be taken into the consideration of the Ministers. It had always been his desire—a desire which, instead of being abated by time, had increased with his years and his experience—it had always, he said, been his ardent desire to see the Press of this country placed in a state of perfect and unrestricted freedom.

Mr. *Warburton* said, that it could not be too strongly impressed upon the Government, that Mr. Carpenter had not been guilty of publishing blasphemous or seditious matter. The fact was, that Mr. Carpenter thought that his *Political Letter* was not within the meaning of the Act, and he determined to try the question. The object of the publication was, in all respects, most laudable, and Gentlemen would search it in vain for any doctrines of an objectionable tendency. These were the grounds upon which he earnestly entreated his Majesty's Ministers to take the case of Mr. Carpenter into their consideration. He would only observe, that among other mischievous consequences of the present law, it allowed the poison to be circulated, and stopped the antidote. The blasphemous and seditious publications which were now circulated at a penny and twopence each, would be met by successful refutation, and superseded by the communication of sound and useful knowledge, which plenty of persons were willing to publish, if the law would allow them, The *Attorney General* was not aware of the intention of his hon. friend to present this petition to-day; and it was only by accident that he was in his place. Sorry, indeed, should he be to interpose one word between the merciful exercise of royal prerogative and a person who was in so unfortunate a situation as that into which the petitioner had fallen. He had not the least doubt that the circumstances which had been now stated would be taken into consideration by the Government, who would neither neglect to do justice to the public, nor be backward in advising the extension of lenity to a deserving object. But after what had been said upon this case, he felt it his duty to make one or two observations upon it. The fact was, that he did not institute this prosecution, though he had carried it on. He found the prosecution instituted when he came into office. After the institution of the prosecution, and while he was in office, Mr. Carpenter published a prospectus, in which he declared that he could and would evade the law. This was a tolerably bold declaration of war, and if Mr. Carpenter had proved successful in it, others would have followed his example, and a very serious loss to the revenue would have been the result. He had, therefore, thought it right to carry on the prosecution as a matter materially affecting the revenue. The subpœna which had been served upon Mr. Carpenter ran in the name of George 4th, and not of William 4th, and this technical defect rendered it necessary that other proceedings should be taken. During the time which thus elapsed, Mr. Carpenter went on publishing his *Political Letter*. He believed that no Gentleman who was at all conversant with the law on this subject, and who had seen Mr. Carpenter's publication, could doubt for a moment that that publication came under the description of a newspaper. In this prosecution it was necessary to proceed against Mr. Carpenter for two offences against the statute: the first was, for not using the regular stamp, and the other for not making the prescribed affidavit at the office. By the decision which was given against him, Mr. Carpenter incurred penalties to the amount of many thousand pounds, but he had called for only one penalty, because the decision of the question, and not the punishment of the individual, was his object; and he did not, until this moment, know that Mr. Carpenter was not in a situation to pay the penalty. It was true that he had opposed the law of which his hon. friend, the member for Middlesex, had complained, and he begged to assure his hon. friend, that he looked back with pride and satisfaction to that opposition. But as long as that law remained in force, while he filled the situation which he had the honour to hold, and when the question became one purely of revenue regulations, his hon. friend must surely see that there was but one course open to him. Besides, his hon. friend would not surely have had Mr. Carpenter placed in a situation which gave him great advantages over all other publishers. Let the question of an alteration of the law be brought forward, and his hon. friend might rest assured, that he would do his duty upon it as independently, and with as much ardour, as any other Member of that House, and that the circumstance of his filling the office of Attorney General would not cause him to take a part in the discussion which should be inconsistent with the views and principles which he had advocated when he resisted the passing of the law.

Mr. *Hunt* begged to inform the hon. and learned Gentleman that the petitioner supported the Reform Bill, and denounced him (Mr. Hunt), and had asserted the most extraordinary libels against him, one of which was, that he had sold himself to the Tories. He had, however, the satisfaction of knowing that he had materially curtailed the sale of his papers in Preston.

Mr. *Maurice O'Connell* was highly pleased at what had fallen from the Attorney General, and trusted that the case of the petitioner would be taken into favourable consideration without delay.

Lord *Althorp* said, my hon. friend, the member for Middlesex, has mixed up the state and effects of the law with the peculiar circumstances attending the case of the petitioner. With regard to Mr. Carpenter's case, all I can say of it at present is, that if the circumstances which have been now stated turn out to be correct, I have no doubt that it will be taken into consideration. With regard to the law, it was my intention, but for the course which the public business has taken, to have brought under the consideration of the House, in the present Session, the subject of the consolidation of the Stamp

Laws. In dealing with that subject, I should have adverted to the amount and effect of the stamps at present imposed upon all organs of intelligence, and I should have proposed to make certain changes in the law with regard to those stamps. I need hardly observe, that, for the present, I am prevented from executing this intention. My hon. friend, the member for Middlesex, has said, that I opposed the Six Acts. No doubt I did, as eagerly as any other Member, and perhaps more eagerly; for I believe that I was the only Member who made a distinct motion in opposition to those Acts. My hon. friend does me injustice, if he supposes either that I have myself forgotten the part I took upon that occasion, or that I am desirous that others should not bear it in mind. I am now, as I was then, most anxious that the liberty of the Press should be protected to the utmost possible extent that is consistent with the prevention of the dissemination of immorality, and the circulation of private scandal, or attacks upon the characters of private individuals. As to public men, I think that, as far as they are concerned, the Press ought to be perfectly free and unrestricted. They take their situation in the face of the public, and put themselves forward to undertake the regulation of public matters; and if, in the discharge of the offices which they thus voluntarily assume, attacks are made upon their public conduct, I do not think that they have any right to complain. Of course, in making these observations, I do not forget that I am a public man myself; but it is very seldom that I read any attacks that are made on me, because I do not wish to read them. I do not think it a very agreeable occupation to read attacks upon oneself; and therefore, when I heard that there were attacks upon me, I avoided reading them. I have now very little time for reading newspapers, so little, indeed, that I am not aware whether I am attacked in them or not; but if I am, and if those attacks should come under my observation, I hope I should not mind them much. Sure I am, however, that my being attacked would not induce me to alter my opinion, that the Press ought not to be restrained from censuring the public conduct of public men. I admit that private individuals ought to be protected by the law from being dragged into public notice, and having their characters assailed in a newspaper; but the prominent position which we assume before the public, and the forward line which we pursue in public affairs, ought, I think, to prevent our complaining, if our public conduct is visited with criticisms, and very severe criticisms too.

Mr. *Edward Lytton Bulwer* said, that it was with the greatest delight that he had heard the manly and sensible observations which had fallen from the noble Lord. From the speech of the noble Lord he was led to hope, that after the attainment of the great blessing of Parliamentary Reform, they should have no great difficulty in attaining also that further and greater blessing—the removal of all restraints upon the circulation of political opinions, by which removal, and by which removal alone, it was, that all permanent Reform could be effected. But he had risen only for the purpose of suggesting, in favour of the unhappy petitioner, the moderate tone and the good tendency of his writings. If Gentlemen would look over the publication that had been alluded to, they would see that it repeatedly exhorted the people never to act or speak otherwise than in a constitutional manner; and, above all things, to abstain from violence.

Petition to lie on the Table.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—FURTHER CONSIDERATION OF THE REPORT.] Lord Althorp moved the Order of the Day for the further consideration of the Report on the Reform of Parliament (England) Bill.

Mr. *Stuart Wortley* inquired whether the Scotch Reform Bill, now before the House, might be relied upon as the Bill to be read a second time next week, or whether any alterations were contemplated which would render it desirable that the Bill should be reprinted before it came under discussion?

The *Lord Advocate* said, that according to the forms of the House, the only bill which could be read a second time was that which had been read a first time. The alterations made as to the general qualification of voters in the English Bill would be transferred to the Scotch Bill, and some other alterations might be made, calculated to obviate objections.

The Order of the Day for the further consideration of the Report read.

Mr. *Croker* said, he should move, that the names of certain places included in schedules A and B should be omitted, in order to record his sentiments on the subject; but, after the decisions the House had already come to, he should not think it necessary to enter into any argument on the subject. He had found what he thought unanswerable arguments wholly unavailing; he had seen the majority voting on the same evening propositions absolutely contradictory, and therefore he had no hope that any good could be done by repeating arguments which had never been answered, and multiplying divisions, of which every body could foresee the result. The places on which he should ask the question to be put were only those on which, as he considered, the principle of the Bill had been deviated from.

Lord *John Russell* said, that as the right hon. Gentleman intended merely to record his sentiments on the insertion of particular boroughs, and did not enter into the grounds on which his opinion rested, he hoped that he (Lord J. Russell) might be excused if he declined stating again the reasons on which he thought these boroughs ought to be retained in schedules A and B.

Mr. *Croker* said, he had not found the noble Lord so ready to answer his arguments, when he had used any, that he should expect an answer now, when no arguments were used. The right hon. Gentleman then moved *seriatim*, "That the boroughs of Fowey, Minehead, New Romney, Plympton, St. Germain's, Wareham, and Woodstock, should be omitted from schedule A; and the boroughs of Chippenham, Clitheroe, and Cockermouth omitted from schedule B."

These motions were severally negatived.

Mr. *Pigott* was anxious to take the last opportunity of calling the attention of the House to the claims of the three county towns of Guildford, Dorchester, and Huntingdon, which the Bill partially disfranchised, by placing in schedule B. He thought it would be found, that, in all the three cases, if the population of the suburbs was added, these towns might be said to have more than 4,000 inhabitants, and upwards of 300 10*l.* houses. The counties in which these towns were situated were also hardly dealt with. Surrey was mulcted of seven Members, Dorsetshire of nine, and Huntingdon had only three left. No less than sixteen towns, which retain the right to return two Members, have fewer 10*l.* houses than Dorchester; and the other places he had mentioned had not a much less proportion in their favour. Again, if they looked at the assessed taxes, a number of towns, which were to be fully represented, contributed a smaller amount than the three towns he had enumerated. These towns were places of considerable business, both public and private. He begged, therefore, to move, "That the towns of Dorchester, Guildford, and Huntingdon, being county towns, be taken out of schedule B, and continue to return two Members to Parliament."

Mr. *Croker* seconded the Motion which he himself should have made, if his hon. friend had not anticipated him, but having so frequently and recently troubled the House on this topic, he would reserve what he had to say until a future occasion.

Mr. *Denison* said, that though he had supported the Bill in every stage, and advocated its principles, he was of opinion that the three towns which were the subject of the Motion, and which were wealthy and respectable, ought to be allowed to continue to return two Members. With respect to a remark made by the hon. Gentleman who had introduced the Motion, wherein he said, Surrey had been mulcted of seven Members, the accuracy of this he must beg leave to dispute. The noble persons who held borough property might be mulcted, but most certainly the county had nothing to do in electing the Members who were to be taken away.

Mr. *Warburton* said, that having voted for the town he represented (Bridport) losing one of its Members, he hoped Ministers would not accede to the proposition to give two Members to the towns which were the subject of the Motion.

Sir *George Warrender* thought it inconsistent with the principle of the Bill that towns having 500 electors, and which were not nomination boroughs, should be disfranchised. He entered his protest, for the last time, against disfranchising these ancient and respectable towns.

Lord *John Russell* said, that if Guildford, Dorchester, and Huntingdon were taken out of schedule B, because they were county towns, Appleby and Ilchester must be omitted from schedule A on the same principle. Under all the circumstances, it was impossible for his Majesty's Ministers to accede to the proposition.

Mr. *Goulburn* said, there was no part of the Bill the injustice of which was more strongly felt than that which went to disfranchise the county towns. He was well acquainted with Guildford, and knew it to be a thriving and flourishing place, in which the whole of the county business was transacted. If the whole population of continuous houses which formed the town were taken in, it would amount to upwards of 4,000, and the town contributed more to the assessed taxes than thirty-two towns which were to hold their full franchise. It was an arbitrary violation of the principle of the Bill.

Mr. *Stuart Wortley* said, he had yet heard no reason why, in some cases, districts were added to boroughs to make up the requisite amount of population; whilst, in other cases, the population of the suburbs was severed from the towns, to bring the population under the amount.

Lord *John Russell* said, his Majesty's Ministers would have been very glad to have allowed those county towns to retain two Representatives, if the population amounted to 4,000; but neither Guildford, Dorchester, nor Huntingdon, had 4,000.

Mr. *Denison* thought Guildford had not been fairly dealt with. By the population returns of 1821, it contained a population of 4,112. Under those circumstances, he felt disposed to divide the House on the question, that Guildford should be omitted from schedule B.

Mr. *Herries* said, that as the noble Lord (Lord John Russell) and the hon. member for Surrey (Mr. Denison) were at issue on a question of fact, as far as it related to Guildford, it was better not to divide the House at present, but to allow the fact to be ascertained before the third reading.

Lord *John Russell* could not indulge in the hope that any new information could be produced on this subject. The account to which the hon. member for Surrey had referred, included the population of a small hamlet adjoining Guildford.

Motion negatived.

Mr. *Croker* then moved, that Helston, Grimsby, Lymington, and Sudbury, should be omitted from schedule B.—Negatived without a division.

Mr. *Peers Williams*, as one of the Representatives of Great Marlow, wished to place its actual state distinctly before the House. He understood the principle of the Bill to be, to disfranchise decayed and decaying boroughs; Great Marlow could not be classed under either head; it was in a state of progressive improvement; the population, according to the census of 1831, nearly doubled that of 1821. If it was compared with the neighbouring borough of Wycombe, which was to return two Members, it would be found very little inferior in numbers or respectability. In 1831 its population was 4,237. Let them look, too, at the constituency. The Marlow franchise was scot and lot, and the number of its voters was 444; in Wycombe, the franchise was vested in the Mayor and Burgesses, and their numbers were only 170. There were only two points to consider in this case; either that the Government were ignorant of the actual circumstances of the borough, or that they were acting partially in favour of Wycombe; he begged, therefore, to move, that Great Marlow be removed from schedule B, and be allowed, as at present, to return two Members.

Sir *George Warrender* said, that many towns which did not possess so many electors, or 10*l.* houses, as Great Grimsby, were, by this Bill, to continue to return two Representatives. The measure had been called final, but he assured the noble Lord, and the House, if he should happen to be a Member of the next, or a Reformed Parliament, he would endeavour to re-open the whole question, for it was most unjust, in his mind, that boroughs, which did not contain so great a population, or pay so large an amount of taxation, as some which were to be disfranchised, should still retain their privileges to return two Representatives.

Sir *Charles Wetherell* fully agreed with his hon. friend, that this question would be re-opened in a Reformed Parliament. As to himself, he must say, that he did not expect to have a seat in the Reformed Parliament, even if one could be chosen under this Bill, which he very much doubted, for he would never condescend to offer delusive promises on the hustings, to become a delegate, instead of being, what he now considered himself, an independent representative of the people.

Mr. *Hunt* said, he must again mention the name of Calne. He knew that place well, and he asserted, without fear of contradiction, that it was a wretched and contemptible place, when compared with Dorchester, Guildford, or Huntingdon, and yet it was to retain its two Members, while the other towns were to be deprived of one: this was one beautiful proof of the consistency of the Bill.

Mr. *Croker* said, at a more convenient opportunity he should be prepared to enter into details, by which he hoped fully to prove, not that the noble Lords and the Ministers had acted partially, but that the Bill which they had introduced was flagrantly partial.

Lord *John Russell* was ready to admit, that, if population was the only ground of the Bill, with respect to certain towns which were to lose part of their Members, while others were to retain theirs, there would be found some inconsistency; but they were prepared to justify it upon higher principle. If, however, the hon. Gentleman meant to charge them with having selected particular places, with party views or private affections, he would meet such an imputation as one reflecting on their personal characters, which he should be prepared to repel with indignation.

Mr. *Croker* said, he would name such places as Calne, Horsham, Westbury, and Morpeth, which he thought had been partially exempted, and he would leave the House and the public to judge between the Ministers and him.

Motion negatived.

Lord *Althorp* moved, that the town of Ashton-under-Lyne be placed in schedule C. The reason for proposing this had already been explained by his noble friend —viz., that Government had agreed to take under their consideration the proposition, whether more Members ought to be given to Wales; and, on deliberation, they had agreed to give it two additional county Members. In order to act as a balance, therefore, to these county Members, Ministers had proposed to give two Members for populous places in Lancashire—namely, Ashton-under-Lyne, and Stroud. He should move, therefore, that Ashton-under-Lyne be placed in schedule C.

Sir *Charles Wetherell* wished to know on what principle these places were to be selected for Representatives, while Chelsea, and many other far more important and populous places, were obliged to do without Members? He also should like to know how the pledged men on the Ministerial benches—the men who were pledged and bound neck and heels to "the Bill, the whole Bill, and nothing but the Bill," would reconcile it to their consciences to sanction a measure which, as the present clause in itself showed, differed in every letter from that to which they were sworn? How, he repeated, could they, after having pledged themselves to a specific Bill, explain it to their constituents that they had, nevertheless, agreed to a measure wholly different in every feature? Pledged they were—ay, sworn to obey the mandate—*jurare in verba magistri*—that master being, it was true, not Ministers, but their constituents, the people [*hear*]. Hon. Members might cry "hear," but an impartial public knew very well, that as thus pledged, they were bound to act at the bidding of their constituents, without the permission of the faintest exercise of the deliberative and judicial functions of any constitutional Member of Parliament.

Lord *Althorp*, in answer to the hon. and learned Gentleman's question, had simply to state, that the reason why Chelsea had not been inserted in schedules C or D was, that it was not deemed expedient to add to the metropolitan Representation more than had been under the Bill; and that it was thought right, that the constituency of Chelsea should belong to the county of Middlesex at large. The two places to which he then proposed to bestow the right of franchise, were large and populous manufacturing towns, which, otherwise, would not be as efficiently represented as the framers of the Bill contemplated. With respect to the hon. and learned Gentleman's taunt of the supporters of the Bill not possessing the freedom of their own judgment on its provisions, it was, perhaps, enough to remind the House of the fact, that whereas many of those very pledged supporters of the Bill divided, on more than one occasion, against Ministers, while the —he supposed he must say—unpledged Gentlemen opposite moved in such close party alliance, that they never, by accident, voted with Ministers in any of the numerous divisions which had taken place during the progress of the Bill.

Lord *Ebrington* was one of those who had pledged themselves to their constituents to support the principle of the Bill, but not therefore its every detail, and who had redeemed that pledge, because it was consonant with his own opinions and convictions. But was it, therefore, he asked, to be borne, that for thus acting consonantly with their own opinions, and in furtherance of the wishes of their constituents and the general weal, they should be taunted, as if so doing were a crime, and that, too, by an hon. and learned Gentleman who had himself no constituents to pledge himself to, who was notoriously the mere nominee of a Peer, and who, as such, was as much, indeed more, fettered and tied down to a particular line of conduct, than were, as the hon. and learned Member would fain insinuate, the pledged supporters of the Bill.

Mr. *Goulburn* did not think the warm rebuke of the noble Lord called for by what had fallen from his hon. and learned friend. It was true that his hon. and learned friend did sit for a small corporation; but a sneer for so doing came with a very ill grace from the noble Lord, who for years was himself the nominee of a Peer, and who had not till very recently the honour of a more extended constituency.

Lord *Ebrington* said, that was true, but he had never ventured to censure those who had pledged themselves on the hustings to a free electing constituency.

Mr. *Strickland* protested against the imputation thrown out by the hon. and learned Gentleman, as to Members on the Ministerial side of the House being pledged to support the Bill, and that they could not therefore possess a right of judgment upon the matter. In a former debate the hon. and learned Member had thought proper to make a similar charge against him; he had at the time replied to it, and certainly would never hear it said that he was pledged to support a particular measure whether he approved of it or not, without indignantly repelling the charge.

Sir *Charles Wetherell* said, if his memory was correct, the hon. member for Yorkshire had attacked him, and drew a comparison as to the greater importance of being a county Member, with a large constituency, than being a member for a borough in the county of York.

Lord *George Lennox* said, he could not sit silent and hear the hon. and learned Gentleman declare Members on that side of the House to be pledged to support the Bill, without being able to exercise their own judgment in the matter; and as long as he heard those taunts thrown out, so long would he say "No, no," to the hon. and learned Member's assertions. He had sworn allegiance to the Bill—the country had sworn allegiance to it; and he would tell the hon. and learned Gentleman, that, so far from the country viewing it as a farce, the people looked upon the opposition to it as a farce.

Mr. *Richard Gurney* denied, that Members who had supported the principle of the Bill were blindly pledged to do so.

Mr. *Hodges* said, he found in the county which he had the honour of representing (Kent) that the people were universally in favour of the Bill.

Mr. *Rickford* addressed the House as follows:—I do not often trouble the House with any observations of mine, but I feel it quite impossible to refrain from replying to the remarks made by the hon. and learned Gentleman. I will therefore tell that hon. and learned Gentleman, that I am sent to this House by a very numerous body of constituents, nearly 2,000 in number, who had too much good sense to require any pledge from me, and, relying upon my integrity, they left me to follow my own judgment. I am not bound to say "ay, ay," or "no, no," at the will of any Minister. I have at all times endeavoured to discharge my duty honestly and conscientiously, perfectly regardless from which side of the House the question emanated; and so long as my constituents think fit to repose their confidence in me, I shall steadily pursue the same independent line of conduct.

Mr. *Trevor* denied, that the country had sworn allegiance to the Bill. He had been sent into that House pledged to oppose the Bill; he gloried in having given that pledge, and he gloried still more in having redeemed it.

Mr. *Croker* put it to the House whether this kind of desultory discussion could be at all conductive to its character.

Lord *John Russell* had risen to make the same suggestion to the House, because, as they were all agreed to be very angry on the third reading of the Bill, it might be as well if they were good-humoured at present.

The Motion agreed to, and Ashton-under-Lyne added to schedule C. It was then moved that Stroud with Minchinhampton be added to the schedule. —Agreed to. Several verbal additions were made, chiefly to include towns instead of townships within the limits of new boroughs,

Mr. *Croker* said, the addition of Workington to Whitehaven was such a dereliction of the principle of this Bill, that he felt himself obliged to move to disjoin these two places. The town of Whitehaven contained a population of 16,000 souls, and the town of Workington was distant eight miles from it. It was therefore unnecessary to introduce contributory boroughs into the northern part of England, by adding the town of Workington to the town of Whitehaven, which already contained 16,000 inhabitants. He therefore moved that the town of Workington be struck out of the schedule.

Lord *Althorp* said, as it was intended to take the poll at both the towns, there could be no contributory boroughs, as supposed by the right hon. Gentleman.

Sir *Charles Wetherell* said, if they acted on this principle in the north they ought to follow it up in the south. Had they pursued this method generally they would have had no occasion to disfranchise so many boroughs.

Amendment negatived.

Bill with its Amendments, ordered to be engrossed.

CORN LAWS.] Mr. *Hunt* rose to bring forward the Motion of which he had given notice on the very first day of his entering that House, respecting the Corn-laws. From that moment to the present he had been anxious to bring the subject forward; but in consequence of the Reform Bill intervening, he had, at the request of his Majesty's Ministers, deferred doing so from day to day. He was glad, however, now to have an opportunity of redeeming the pledge which he had voluntarily given to his constituents on the subject. He only regretted that a subject of such deep and vital importance to the community had not fallen into more able hands. But he was in some degree relieved by the consideration that it was a question which would necessarily call forth the opinions of many hon. Members; and he trusted that some means of advantageously settling the question might be suggested. It was the opinion of able men that some alteration in the Corn-laws was necessary, and he hoped that, if his Majesty's Ministers should reject his proposition, as most likely they would, that at least they would introduce some measure upon the subject. Those who were opposed to the measure which he now advocated urged, in defence of their opinions, that if the Corn-laws were repealed, the growers of corn in this country would have to compete with all the heavy load of taxes, tithes, and rent which they now support against the foreign grower, who produced his corn without any such burthens, and who, consequently could undersell the English grower in his own market. Thus say the political economists; and, in addition to this argument, hon. Members would probably urge that the landlords would suffer an enormous loss by a repeal of the Corn-laws. Now he was prepared at once to admit that they would be obliged to sacrifice something, and he was also prepared to admit, that there must be a sacrifice, not only of rent, but also of tithes and taxes; but, this sacrifice would not be an ultimate loss, for the benefit conferred on the poor classes would amply repay it. He knew, however, that they must suffer, that they must lower their rents—they must reduce the payments for tithes—and they must diminish the amount of taxation. All this they must do the moment the Corn-laws were repealed, before they could hope that the farmers of this country would be able to compete with those of the Continent. In the course of the last forty years, tithes had been raised from one to three or four, and rent had been raised in the same proportion. The landlords must prepare to give up at least one-third of this, and it was right they should know it. He had made calculations, which showed that the average price of wheat in the market of Hamburgh, for the last three years, had been 33*s.* 6*d.* a quarter, while the average price in Mark-lane was 61*s.* 2*d.* If the Corn-laws had not been in operation, the people might, therefore, have paid just two-fifths less for their bread during the whole of that time, for at two-fifths less he was confident foreign grain could be delivered in the ports of this country. Extending his calculation still further, and taking, as he believed there were, 24,000,000 of people in the three kingdoms, he found that each individual, rich and poor, high and low, paid now just 6*d.* a week during each year more than he should do for the bread he consumed. Now this amounted every year to the sum of 31,200,000*l.* paid by the people as a tax on the article of bread. It was impossible that the labourers could continue to exist on the sums now paid them by the farmers, or that the farmers, with such rents, could give much more. What had produced the wretchedness and starvation, together with the disaffection, riots, and rick-burning, during the last winter, but the high price of bread and the enormous taxes and tithes. Forty years ago a large estate in Wiltshire that he knew well—the hon.

member for that county (Mr. Benett) knew it too—that estate paid a rent of 600*l.* a-year to the landlord, and the labourers employed on it received 6*s.* a week. That same estate had been now for many years let at a rent of 1,800*l.* a-year, and what did the labourers on it receive now? Why 7*s.* a week! How could a labourer and his family live on such a sum? This simple fact spoke volumes as to the inadequate rate at which labour was paid, and it must ultimately come to this, that the landlord would be called upon to come forward, and make a sacrifice, by which alone the balance would be restored. The people, in many cases, were starving—yes, starving in the streets; and he contended, that the Corn-laws were the great cause of their sufferings. What was said in the Ministerial organ, *The Times*, on this subject. He repeated, that the paper which was supposed to speak the opinions of the Ministers, however it might garble the accounts of the debates of the House to answer their purpose, knew better than to support them on the question of the Corn-laws. The briefless Barrister who dictated from his closet the course the Government should pursue, did not forget that it was necessary to sell his paper. What did he say on the Corn-laws? On the 27th of August the Editor of that Paper said, "But admitting at once the accelerated growth of population, and the dearth of demand for labour, as affirmed by the note-maker on the tables to which we have been adverting—that is to say, granting that the power of buying food has not kept pace with the want of it—was ever madness so combined with inhumanity, as in the legislation of the British Parliament with reference to the supply of corn? As our people have become more numerous —as mouths have multiplied — while, according to these returns, the produce of the soil of England, for many years past, has been stationary, if not declining, our lawgivers have been straining every effort to make food more inaccessible, instead of more attainable, to the poor. Far from inviting bread to the poor man's door, they have been repelling it—first, by open prohibitions—next, and to this moment, by severe and pinching duties. They have striven to check population by artificial famine. Why, such a system is no better than deliberate rebellion against Providence, and is of itself enough to draw down some signal visitation upon us, if instant means be not taken to retrace a course so indefensible." This was what *The Times* said; and there was a great deal of truth in it. If the Government could say it was not so, then he would contend, that there never was any language used before, which so well deserved the notice of the Attorney General. They had been told, that the passing of the Reform Bill would produce an immediate repeal of the Corn-laws. If he could bring himself to think that, then he would hail the Bill as a great boon to the country. He knew, however, that it would not be so, and that the Government was determined to oppose the repeal of those laws, although the public organs under their control had held that out, among other things, as an inducement to the people to support the Bill. He should like the House to know what were the hopes and expectations founded on the Bill. The people of Bolton had announced a few of the pledges they would require from the candidate for their suffrages. The first was, a total repeal of the Corn-laws; the next, an equitable adjustment of the Debt; then justice brought to every man's door; the abolition of places and pensions; the abolition of monopolies; the repeal of all taxes oppressing the middle and the lower classes; and the repeal of the Law of Primogeniture. The places and pensions would probably last as long as the present King lived; and as to the repeal of the taxes which pressed on the middle and lower classes, if they were taken away, he should be glad to know how the expenses of the State were to be defrayed; but this was a specimen of the pledges which Bolton and some of the new districts were determined to exact from their Representatives. The Corn-laws were invented to support the tithes and the taxes; and the plain question now was — whether they could go on as they did last winter, with all the miseries, and sufferings, and burnings, which they had witnessed for so many months? He regretted much to see, that the character of the agricultural population was much deteriorated from the miseries they had suffered, and that so far from thinking, as they used to do, that they never could do too much for their masters, they now looked on them as their enemies, and were disposed to thwart and oppose them. Bad as the condition of the agricultural labourers was known to be, the manufacturing were in a state of misery which it was almost impossible to describe. The wages they earned with fourteen hours' labour were scarcely enough to support life. It was said the Reform Bill would relieve them. He denied that; and he therefore now called on the House, unsupported although he might be —he called on them, and on the nobility and landholders of the country, to make a sacrifice at once, and by repealing the Corn-laws, preserve the peace and secure the prosperity of the country. After observing, that the standing Army and the militia were retained, purely for the sake of keeping down those whom the Corn-laws rendered wretched and discontented, he could not but revert again to the present prices of corn in this country, compared with that of the Hamburgh market, where wheat was quoted at 35*s.* per quarter, whilst in many places in England it was as high as 80*s.* He knew that such was the price at Devizes, Warminster, and many other places. There was a subject which, he was convinced, was deeply connected with that of the present Motion—namely, the Currency; but he should not at present touch upon it. The country, however, had been forced into a false and artificial position, owing to the mistakes which had been made in this matter, and the artificial prospects caused by it had long been attributed as the cause why so many persons attempted to make an appearance much beyond their legitimate means, and why people of 2,000*l.* or 3,000*l.* a-year kept up as great a show as my Lord Stafford and my Lord Grosvenor. The great question for the consideration of the House was, whether the people were to be kept down by force, and the Government was always to remain under the fear of insurrections and disturbances, or whether it was not better, by making some sacrifices, to conciliate their gratitude and promote the interests of the country generally. In his opinion, the only effectual relief that could be afforded the people, would be a total repeal of all the Acts preventing the free importation of corn. He should, therefore, propose, "that this House do resolve itself into a Committee to consider of the said Acts."

Mr. *James* seconded the Motion. He was aware that those who advocated the total repeal of the Corn-laws plunged themselves into a hornet's nest. At the risk, however, of being stung, he would do his duty. He thought it not probable that such a measure should be carried in this Parliament. In his opinion, therefore, the hon. member for Preston would have done better to have postponed his Motion till the House was reformed—till Schedule A and Schedule B were become the law of the land. The first act of a reformed Parliament would be, he believed, to abolish the Corn-laws. He thought no circumstances could justify impeding the people in obtaining a supply of food, but particularly in a country like ours, in which the climate compelled us to have recourse to importation. He must apologise for his own imperfections in addressing the House on so important a question, but he would not split hairs with those who professed to be political economists. He meant to do his duty to his constituents. He could never believe, that dear was better for the people than cheap bread. All laws prohibiting the importation of corn deprived the industrious classes of a market for the produce of their labour, and so raised the price of food, that labourers could not procure a sufficiency of food without intolerable toil. It also made it the object of foreigners to encourage native manufactures, depriving us of the trade of supplying them, making them our rivals, and injuring the shipping interest. He had heard a gentleman say corn was bought with gold, not manufactures; but, in fact, the gold was bought by our manufactured goods in South America. It was said, that the agriculturists were so heavily taxed, that they would be ruined if foreign corn were imported. Corn-laws were established, therefore, to protect the landed interest, but it was notorious, that these laws had not protected that interest. When it was said, that agriculturists were exposed to heavy taxes, he wished to remind them, that the Property Tax, the Tax on Farm Servants, on Salt, and many other Taxes, had been repealed or abolished. He did not believe, that the repeal could affect the agricultural interest injuriously. It could not ruin the farmers. Our manufactures would then be demanded to a greater extent abroad, and the manufacturers would then be able to buy animal food, and be much better customers than at present to the farmers. They would pay for the cultivating bad lands as pasturage. He might take an erroneous view, but he had no wish to injure the agricultural interests. He spoke from no self-interest. He was in the same boat with the landed-proprietors; for whatever property he had was in land. But he agreed with the hon. member for Preston, that some concession must be made by all classes for the relief of the labouring poor. Those who saw only the metropolis, were not aware of the miserable condition of the labourers. Let the landlords, then, reduce their rents, and those who drove four horses drive only two, and those who drove two drive only one, and those who drove one go on foot. The vain distinctions of the few, sank, in his estimation, into nothing, in comparison with the comfort of millions. He had visited the dwellings of the poor, and he was of opinion, that no picture of their miseries could be too highly coloured. Those people were without furniture, without clothes, and he had seen children crying for bread, which their parents could not give them. They were worse off than the negro slaves. A negro never died for want of food—a negro never ate sour sorrel or nettles for food like the Irish. Detesting hypocrisy, he utterly repudiated the humanity of those who could only feel for the negroes. The House would readily perceive that he alluded to a class of persons called the "Saints." He hoped that the "Saints," who were so ready to exert themselves in favour of the black slaves of the West Indies, would at least extend some portion of their benevolence to the free people of this country. He was the more anxious for their co-operation in the present instance, seeing that without it he and the other supporters of the Motion could scarcely muster a dozen votes. In the year 1826, shortly before he had ceased to be a Member of this House, he brought forward a motion for the total disfranchisement of all rotten boroughs, and he then found not more than a dozen persons to agree with him. A very great change, however, had since taken place, and he hoped, before the end of six years, to find as large a majority in favour of repealing the Corn-laws, as he now found in favour of a measure for reforming the Parliament.

Mr. *Benett* did not rise to enter into the discussion of this question, for which the time and occasion were not suited; but having been alluded to personally by the hon. member for Preston, he must say a few words. That hon. Member had stated, in order to show that the high rent of land was kept up by the landowners, that he (Mr. Benett) had racked up the rent of a farm from 600*l.* a-year, at which it was let forty-five years ago, to 1,800*l.* a-year, which it produced at present. The hon. Member had made the same charge against him fifteen years ago, and he (Mr. Benett) on that occasion went to no small expense in publishing a refutation of the charge in several papers. The fact was, that he gave 10,000*l.* for the great tithes of that property, which he added to the estate. He also exchanged an estate of 500*l.* a-year for the vicarial tithes, which were also added to the estate; so that, taking the whole of what had been thus expended, it did not bring in, in its improved condition, more than about twelve per cent on this large outlay. The hon. Member did not at the time attempt to contradict any of these statements, because he could not, yet he repeated the charge about four years ago, in an address to the Livery of London; though on that occasion, as on the present, he made no mention of the answer which he (Mr. Benett) had given to him years before. On that occasion also he felt it necessary to re-publish his former refutation, to which the hon. Member did not venture a reply. The hon. Member knew the whole particulars, and had never contradicted them. The hon. Member, however, had stated over and over again, that he had racked up his rent from 600*l.* to 1,800*l.* and never once stated, though he knew them, any one of the facts on which that rise of rent was justified. He stated the rise of the rent, but nothing of his having purchased the tithes and attached them to the farm. He was surprised that the hon. Member should attempt to delude the House in that manner. He was glad, however, that the hon. Member had brought forward the charge here, for here he could refute him, but he had no opportunity of answering him when he made the same unfounded assertions — assertions which he must have known, after reading his answer, were wholly unfounded—at Spafields, or before the Livery of London. Having stated thus much, he would not enter into the question before the House, not because he could not give a satisfactory answer to the hon. Member's statements, but because he did not think that the present period of the Session, occupied as it was with the more important question of Reform, was the proper time for discussing the question of the Corn-laws. Indeed, he had no doubt that the question was now brought forward for the purpose of diverting public attention from the Reform Bill, or with the still more sinister view of endeavouring to persuade the farmers into the belief, that a Reformed Parliament would repeal the Corn-laws. Attempts of this kind were industriously made in the country, to excite either indifference or opposition to the Reform Bill amongst the farmers; but the attempt would fail, as other insidious attacks upon that measure had failed. The farmers knew very well that a Reformed Parliament would attend to their interests as well as to those of the other classes of the community.

Mr. *Hume* regretted, that on a question of such importance, the hon. member for Wiltshire should have alluded to any personal matters. He contended, that it was not the landlord who fixed the value of a farm, any more than the farmers fixed the value of their stock. Why should the landowner be different in this respect from the grocer? He did not fix the price of his article. The price of land was fixed by the general demand. It was a gross fallacy to say, that landlords fixed the rent of farms. The hon. Member said the landlords must reduce their rents. [Mr. *Hunt* said, he had not stated that they must, but that they should reduce the rents.] He might have misunderstood the hon. Member, but he did not know the difference in this point between should and must. The hon. Member might have chosen another time to bring forward such an important Motion, rather than at a time when the House was occupied with a matter of so much more importance. He would put it to the constituents of the hon. Member, and of the hon. member for Carlisle, of whose sincerity he was well assured—he would put it to their constituency, if this were the proper time to interpose with such a question, when the House was engaged in carrying Reform into all the institutions of the State? The House was fatigued with the discussion on a most important subject, and this was not a time to introduce such a matter as the Corn-laws, which demanded the most mature consideration. The House ought not to be captivated by a motion which would effect, he believed, so much ruin as would a total and sudden repeal of the Corn-laws. He was sure that the constituents of the hon. member would agree with him, and that they would like a gradual and proper change, instead of jumping to a total repeal at once. The hon. member for Preston had not brought forward any arguments to justify that change. He had referred merely to the prices of corn in the markets of Hamburgh and London for a few years, which were inaccurate and fallacious, as the only ground for the proposed change. He should take a larger view, and extend his inquiries over longer periods. The hon. Member had overstated the loss too, for if the ports were opened, prices would rise in the markets of the Continent, and there would not be that difference on which the hon. member had calculated the loss to the country. The hon. Member stated, too, that the landlords should be compelled to reduce their rents, but why not leave them to let their lands as they could? The landlords, in fact, had come down one-third with their rents already. If the hon. Member had kept up his rents he must be a fortunate man. Was it fair to attribute to the landlords all the distress of the country? Those who hired land would not hire it unless they made a profit by it. The price of land was regulated by competition, and it was unfair in the hon. Member to attribute the distress to the high rents. Taxes were, undoubtedly, a cause of poverty, but a want of prudence was also a cause, the hon. Member took no notice of there being a surplus of hands in the country. The competition in the market for labour was too great, and it was no longer worth while to bring that commodity to the market. He wished the hon. Member to consider the influence which the increase of population had on the prosperity of the people. He must complain of the hon. Member having introduced several extraneous matters into the discussion, which had no relation to the Motion before the House. He was satisfied that the Corn-laws had injured the agriculturists by throwing the idle on them for support, who would otherwise have found employment in our manufactures. At the same time, he was not prepared to contend for so sudden and material a change as the total abolition of the Corn-laws. He had wished that a tax should be levied on the importation, but that the importation should be left free. That was the extent to which he wished at first to go. Every change in legislation did harm. The greater the change the greater the evils. Though he was a Reformer, he would inflict no unnecessary evil. The present Motion would be productive of great evil. He admitted, that it was the duty of the Legislature to provide food for the people at the lowest possible rate; but he must assert, that this Motion was ill-timed and injudicious. He regretted that the question should have been damaged by such a premature discussion; and he felt himself under the necessity, as he could not negative such a Motion, to move the previous question on it. The hon. Member concluded by moving the previous question, though he wished it to be understood that he was a sincere friend to the gradual abolition of the Corn-laws, if brought forward at a proper time, and on a proper occasion.

Lord *Althorp* regretted that a question of so much importance, and one requiring so much consideration, should have been brought forward at such a period. He did not blame the hon. Member for not having brought it forward earlier; but at no period of the present Session could it have received that attention which its importance demanded. If the hon. Member had brought forward a Motion for a total repeal, he should have met it with a direct negative; but as it was only for a Committee to inquire, he thought his hon. friend the member for Middlesex was right in meeting it with the previous question, for in that way it could be rejected without that discussion which, under other circumstances, it would require. He did hope, that under these circumstances, hon. Members would abstain from entering upon a discussion which could have no practical result. He certainly should not enter into the discussion of the subject, nor follow the arguments of the hon. Member who seconded the Motion. He only rose for the purpose of stating, that he did not think the present a desirable occasion to enter upon the discussion of the question.

Colonel *Torrens* was of opinion that the present was a most inconvenient period for the discussion of the question, though he was of the same opinion that he had ever entertained of the Corn-laws, and thought, undoubtedly, that they ought to be repealed.

Mr. *Goulburn* thought that the Motion of the hon. member for Preston, being for the immediate and total repeal of the Corn-laws, ought to have been met by a direct negative.

Lord *Althorp* said, that if the Motion of the hon. Member went to the immediate repeal of the Corn-laws, he should certainly have met it by a direct negative. The Motion, however, was to refer the subject to the investigation of a Committee, and that was not a Motion which ought to be met by a direct negative, without having first received that fair consideration, which at the present moment it was impossible to bestow on it. In saying this, he wished not to be understood as holding out any expectation that the question would be brought forward at a future period by the Government.

Mr. *Hunt* said, that he should push his Motion to a division, in order to let the people see whether their Representatives were faithful to their pledges. He knew that the hon. member for Lancashire had given a pledge to support the repeal of the Corn-laws; and it was in consideration of that pledge that the working classes of that county subscribed 400*l.* to defray part of his expenses at the late election.

Mr. *Heywood* admitted, that he felt strongly with respect to the impropriety of continuing the present restrictions on the import of corn, but he thought that the hon. member for Preston had chosen a most unfortunate period for discussing the question. He felt grateful for the support offered him at his election by the working-classes of Lancashire, but he was happy to say that their pecuniary assistance was not needed, and that all the money which they had subscribed had been returned to them.

The House divided—Ayes 6; Noes 194—Majority 188.

List of the Ayes.

Bulwer, Henry
Calvert, C.
Ellis, Wynn
Hughes, Hughes
Langton, Gore
Noel, Sir G.

TELLERS.
Hunt, Henry
James, William

WINE DUTIES.] Lord Althorp moved the third reading of the Wine Duties Bill.

Mr. *Herries* said, that this was a question of primary importance, not only in a commercial, but also in a political point of view. It was intended by this measure to change altogether the political and mercantile relations between this country and our most ancient and faithful ally Portugal, in reference to its staple trade with this country, and as a necessary consequence, our export trade with that country. Even upon the statement of the noble Lord himself, no man could know in what way his Majesty's Ministers were justified in passing a Bill, the only effect of which seemed to be, to place additional taxes to the amount of 180,000*l.* upon the people. It was not as a question of finance alone that he considered it important; nor was it so important commercially as politically. As to the Methuen Treaty, he would ask the noble Lord whether a continuance of 130 years was not enough to make it so binding upon both parties, that neither could abrogate it without notice or explanation to the other? Was it to be considered so little binding upon England, that it could be terminated by a vote of that House, without even any ground of necessity having been alleged to excuse the violation? Was that done, then, merely to show our disregard of Treaties, and to give warning to other nations never to rely upon our friendship, or to expect from us an observance of our obligations? As the case now stood, the conclusion was inevitable, that there was some political motive for that proceeding which was not disclosed. His Majesty's Ministers ought to have pursued a course, not merely consistent with what we owe to Portugal, but also with what Britain owed to her own dignity. From the unusual and almost unaccountable delay in the production of those papers which had been called for respecting our relations with Portugal—from the reluctance which was manifested to supply information upon that subject—the only conclusion which could be arrived at was, that his Majesty's Ministers had determined upon some new course of policy. It would seem from their conduct, that they thought it better for the interest of England, that the Peninsula should be left entirely in the hands of France, than that any part of it should be connected with England, or dependent upon her friendship. The object of this Bill was to transfer the advantages given heretofore to Portuguese wine to the wines of its wealthy and powerful rival in this article. The effect would not be confined to Portugal: it would, as a consequence reach our return trade thither in woollen, cotton, and hardware goods, as well as all British investments of a mercantile nature in the country of our ancient ally. As a commercial measure he deprecated it, because he felt, that in their eagerness to carry into effect the general principle of free trade, in the hope that all things would shortly find their level between this and other manufacturing countries, such as France, the noble Lord had altogether left out of his calculation the inevitable distress and particular failures which must be the consequences of the interruption of our long established trade, in respect to exporting houses trading principally to Portugal. They were abandoning a connexion with a nation which could not be a rival, for the sake of a connexion with one which was in all respects a rival. He thought, that the consequences to British commerce would be such, as no man would more regret than the noble Lord himself. He had heard, indeed, that the measure would be advantageous to British commerce; but in what way he had not been told. No arrangement had been made, that France should receive British manufactures in return for the advantages which the Bill would give that nation. He could see nothing in the measure that was commercially advantageous; and, politically, he thought it most ill-advised. He protested against the passing of a measure so ill-timed, ill-advised, and ill-digested.

Lord *Althorp* said, that the right hon. Gentleman had entered into the different points of this question, politically, commercially, and financially considered, and it was, therefore, necessary for him to touch upon those three points. With respect to the remarks he had made upon his Budget, although on some questions he had not been so fortunate as to meet the concurrence of the House, yet he might claim the merit of having relieved the country by the reduction of the duties on coals and printed calicoes, and a future reduction of the duty on candles. The taxes he had proposed to substitute for them, had not all met the approbation of the House; and this tax was a part of them. As to the returns of revenue leading to the presumption that this tax was not necessary, he could only say, that having lost several taxes, it was not possible for the Government to afford to give it up. The objection of the right hon. Gentleman, that there had been no warning given of the abandonment of the Treaty, had been disposed of on a former occasion. It was clear, that we had the right to abandon the Methuen Treaty if we pleased, and nothing, in his opinion, could be better adapted to promote the political interests of England, than drawing closer the bonds of amity between this country and France, if it could be done without offence to Portugal. If we were justified by the spirit of the Methuen Treaty, in abandoning the advantages afforded us by Portugal, by the admission of our woollens, there was no ground to expect that the general ties of amity with Portugal would thereby be dissolved. It was the policy of England, for the sake of our general relations with the Continent of Europe, to be on terms of political friendship with France. As a measure of commercial policy, the right hon. Gentleman had admitted the general principle, that it was desirable to trade with a rich country as much as we could; but it so happened, that whenever a general principle was stated, it was always sure to be followed up by saying, that the case under consideration was not proper for its application. When he saw a general principle, the application of which was unobjectionable, he always wished to carry it into effect as speedily as possible. The right hon. Gentleman had not made out any ground of exception in respect to this case. The only ground he had alleged was, that the trade of Spain and Portugal were to be considered as one, and that our manufactures were favoured by them above those of any other country. In respect to Portugal he admitted this to be correct; but as to Spain, the argument of the right hon. Gentleman had surprised him, since our linens were almost prohibited in Spain. He had no reason to expect, that the effect of the alteration contemplated would diminish the exportation of British manufactures to Portugal, for this simple reason—because we were able to supply them cheaper than any other country. The right hon. Member had also looked at the measure in a financial point of view, and said, that the former reduction of wine duties was productive of good effects. This was true, but he did not consider that he was departing from the principle of the former reduction by the present Bill. He reduced the duties on French wines, and the increase he made in the duties on other wines was so small, that it was very improbable that it would diminish consumption. The only effect it was likely to have was, to diminish the consumption of the one class of wines while it increased the consumption of French wines. The scale of this Bill made the higher-priced wines of France dearer, but then it made the lower-priced wines of that country cheaper than the wines of Portugal. In a word, the wine would be procured at a cheaper rate under this measure than under the present law, and while it imposed no burthen on the country it would give an increase of revenue to the amount of 180,000*l.* a year. He had long thought, that the Governments of this country had pursued a wrong policy with regard to duties on wine, and he had, therefore, taken an early opportunity of introducing this measure.

Mr. *Goulburn* was happy to hear from the noble Lord, that a general financial statement would be submitted to the House. He would reserve himself until that statement was made; but in the mean time he must observe, that the noble Lord had no reason to congratulate himself upon having selected the duty on coals as the duty which it was most advisable to take off when he was making a reduction of taxation. It now turned out—as he always expected it would—that while 6*s.* a chaldron was taken from the revenue, the consumer was benefitted only to the amount of 2*s.* per chaldron. The noble Lord, therefore, had no reason to congratulate himself upon the reduction of taxation which he had made when he took off the coal-duty, neither did he think that the noble Lord had sufficiently considered the consumer when he laid on the present tax; for while the noble Lord got 180,000*l.*, he imposed a tax upon the consumer of at least double the amount which he received in the Treasury. This was all he should at present state upon our financial condition. As to the question now before them, the noble Lord had abstained, in his answer to his noble friend, from all allusion to our treaties with Portugal, and the result which was likely to follow from the abandonment of those treaties. The noble Lord had said, that Portugal had by this time had full notice of the measure; but he must be allowed to observe, that a measure lying for six months on the Table of that House was not what ought to be considered as a notice to Portugal. The noble Lord had said, that this measure would draw closer the ties between this country and France. Now, he was one of those who admitted that it was sound policy to draw close those ties, and he should be most happy to see them drawn close; but the noble Lord had not shown to the House either that those ties might not be preserved without this measure, or that the measure had been required or even asked for by France. When were the ties between this country and France closer than in the reign of George 2nd; and did not Mr. Pitt subsequently make a commercial treaty with France without committing any infraction of the Methuen Treaty? The noble Lord had also asked, what advantage this country had to thank Spain for; but the answer to that question was to be found in the fact, that we stood upon the same footing as other countries with regard to Spain, and in the amount of British produce which found its way into the Peninsula; for whether that produce went to Spain, or was consumed in Portugal, did not matter. He objected to this measure as destroying those ties which bound Portugal to this country, and which had made Portugal, in fact, almost a province of this country. He heartily trusted, that the gloomy anticipations which he entertained with regard to the results of the measure might not be realized.

Mr. *Briscoe* alluded to the disappointment which had taken place with regard to the expected relief from removing the duty on coals—a relief which it was particularly hoped would be a great benefit to the poorer classes. The cause of this disappointment was to be found in the fact, that there was a monopoly of the article, and he thought that the public had great reason to complain of the conduct of the individuals who enjoyed that monopoly. If these individuals pursued the same conduct, and the price of coal continued as high as it was at present, he should move, in the next Session, that the duty be reimposed, and that some other taxes be taken off in its stead.

Mr. *Courtenay* must contend, that we had no right to depart from the Methuen Treaty without the consent of Portugal, unless in consequence of injuries committed by Portugal against us, and satisfaction for those injuries being refused. It was evident that Portugal had not consented; and the other point could only be ascertained by papers for which he had some time since moved, and the propriety of producing which, at the earliest possible opportunity, he took this opportunity of again urging upon the noble Secretary of State for Foreign Affairs.

Mr. *Stuart Wortley* should be sorry to lend his assistance to the engrafting upon a debate upon the wine duties a discussion upon the coal duties, but he felt it necessary to make one observation upon the latter subject, in consequence of what had fallen from the hon. member for Surrey. The coal-owners had derived no more benefit from the reduction of the duty than the hon. member for Surrey had. The fact was, that immediately on the remission of the duty, there was a great reduction in the price of that supply of coals which was then in the London market; but as soon as the news of the remission of the duty reached the pit-men, they stood out for higher wages; and this was the reason of the subsequent rise in the price of coals. He assured the hon. member for Surrey, that the coal-owners had not the means of making that combination which the hon. Member evidently supposed they had entered into.

Viscount *Palmerston* begged to state, with regard to the papers to which the right hon. Gentleman (Mr. Courtenay) had alluded, that no time had been or would be lost, in producing them. He could not state the precise day on which he should be able to lay them on the Table; but some of them were already printed, and others were in the course of being copied out with all possible expedition. He begged to set the right hon. Gentleman right upon one point on which the right hon. Gentleman seemed to be in error. This measure had not been rested by his noble friend, neither had their right to depart from the Methuen Treaty been rested by his noble friend, upon any grievances or injuries which we had received from the hands of Portugal, but simply upon the nature of the stipulations of that treaty itself. He was ready to demonstrate, in opposition to the right hon. Gentleman, or to any one else who advanced a contrary doctrine, that we had a perfect right to depart, whenever we pleased, from that treaty, both without giving any notice to Portugal of our intention so to do, and also without our having experienced grievances or injuries from that country. At the same time, let him tell the right hon. Gentleman, that if there were any necessity to show it, there would be no difficulty at all in showing that Portugal had violated over and over again, even in regard to this very wine trade, the stipulations of treaties which existed between this country and Portugal. This, however, was not, he repeated, a ground upon which his noble friend based the measure now under consideration.

Mr. *Courtenay* had understood the noble Lord (Althorp) to state injuries we had experienced from Portugal as one of the grounds of the measure.

Lord *Althorp :* Then I have been very much misunderstood by the hon. Gentleman, for I certainly never stated any thing of the kind.

Bill read a third time, and passed.

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HOUSE OF LORDS,

Friday, September 16, 1831.

MINUTES.] Bills. Read a second time; the General Turnpike Roads Regulation; the Turnpike Roads (Scotland); the Public Works (England); and the Contempts in Ecclesiastical Courts.

Returns ordered. On the Motion of Lord WHARNCLIFFE, a great number, illustrative of the Population and Wealth of different Districts in relation to the measure of Parliamentary Reform.

PRESCRIPTION BILL.] Lord *Tenterden* moved the Second Reading of the Prescription Bill. He had stated the nature and objects of the Bill in the course of last Session, and on the motion for the first reading. He now, therefore, contented himself with moving that the Bill be read a second time.

The Bishop of *Bristol* approved of the provisions of the Bill, in as far as they related to rights of way, and other common rights. But there was one clause in the Bill which related to a subject of the utmost importance, and of that clause he could not approve in its present state, and he hoped that the noble and learned Lord would consent to introduce some modification of it in the Committee. The clause to which he referred was that which appointed the period of prescription in cases of *moduses*, or customary payment for tithes. It was well known, that as the law at present stood, in order to establish a *modus*, or customary payment in lieu of tithes, it was necessary for those claiming that *modus* as against the clergyman, to give such evidence as to lay a good foundation for the inference that the *modus* existed as early as the time of Richard 1st. He admitted, that very serious inconvenience arose from that circumstance, and that some more limited period of prescription should be established. These *moduses* were at first merely agreements with temporary incumbents, which were entered into out of favour to the parishioners, or some other motive, and then continued through the negligence of succeeding incumbents, by which means the Church was deprived of a great deal of property, which of right belonged to it. All that he wished on the present occasion was, that the clause should appoint a period of prescription extending much further back than a period of six years, which was the time limited as the clause stood. He should propose twenty years, or at least that of a new incumbency taking place subsequent to the passing of this Bill, as several of the existing incumbents were, for various reasons, extremely indisposed to contest the validity of these moduses, although they had good grounds to do so.

Lord *Tenterden* said, the period for establishing a modus was a point which might be discussed in the Committee. As for himself, he had no inclination to do anything offensive to the Church, and he had introduced the Bill under a sense of public duty.

The Bill read a second time.

SPRING GUNS BILL.] Viscount *Melbourne* rose, in pursuance of notice, to move for leave to bring in a Bill to repeal a part of the 7th and 8th of the late King, and to permit, in certain places, the use of Spring-guns, under certain restrictions and regulations, for the protection of certain species of property. The Bill which he was about to introduce would repeal, in part, an Act, which, when it was in progress, created a considerable sensation in the public mind—an Act which was founded on motives of humanity—an Act which, in an ordinary state of society, he should view as a wise and salutary one. But circumstances rendered it expedient to depart from that measure; and in repealing any part of such an Act, he felt it necessary, in order to obviate any misconstruction or misrepresentation—because misconstruction or misrepresentation might arise on such an occasion—he felt it necessary to state, clearly and distinctly, the nature and object of the present Bill, and for that purpose he would detain their Lordships while he made a very few observations. It would not, he believed, require him to take up much of their Lordships' time, in order to convince them of the propriety of adopting this measure. Their Lordships must be aware, that, during the last year, great outrages prevailed, at intervals, in the agricultural districts, which at length assumed a more systematic form, and the crime of setting fire to barns and stacks, and to the means of subsistence—that species of property which it was the object of this Bill to protect, became alarmingly prevalent. To put down that crime it was deemed necessary to introduce the present Bill. It was impossible for him to describe the motives which led to the commission of that crime—a crime totally at variance with the British character. It was impossible for him to describe the feelings in which it originated, or the objects which those who perpetrated it could have in view. It was a crime, for the commission of which, or in extenuation of which, no such reasons could be adduced as might be advanced with respect to other crimes. It appeared to arise from the most pure, and unmixed, and diabolical feeling of senseless malignity. No reason could be found for it, either in the ordinary infirmity, or the ordinary corruption of human nature; and, therefore, it could only be excused and palliated by men who were themselves actuated by those motives of pure, unmixed, and diabolical malignity, to which alone he could trace such nefarious practices. It was a crime, it must be observed, exceedingly easy to be committed, and extremely difficult of detection. It might be effected by a single emissary, with perfect security; and if the act were done with dexterity, no traces remained to show the manner of its perpetration all clue to discovery was lost in the very success of the attempt. The crime being of so heinous a nature, so easy of perpetration, and so difficult of detection, it became absolutely necessary to adopt every means of prevention against it; and for that purpose he had thought it proper to propose to their Lordships the adoption of those means which he had already mentioned, but the use of which had been prohibited by the Act which passed some years ago. The Bill which he was now about to introduce, would authorize two Justices of the Peace to grant a license to any person who should apply for the same, on evidence taken with respect to the situation of the premises, or on actual view of the premises, he being the owner or occupier of such premises, to set spring-guns and man-traps in or about any barns or out-houses, or open yards, that shall have standing in or on them, any stacks of corn, hay, beans, &c., which require protection. It was proper that notice, as public as possible, should be given of the setting of such spring-guns or man-traps, and therefore a severe penalty was to be inflicted on those who set such spring-guns or man-traps without giving the necessary notice. As it was hoped that the state of things which led to this measure would not long continue, it was proposed that this should be but a temporary Bill, to be enacted for one year, and to the end of the then next Session of Parliament. He was aware that some of the objections which had formerly been advanced against the practice of setting spring-guns might be urged on this occasion: but the measure was forced upon Ministers by melancholy, but imperious necessity. They were obliged to resort to it as a means of security against the malignity of these most criminal transactions. Unfortunately, the crime produced not only the immediate consequences that necessarily must result from it, but it was also productive of other disastrous effects; and, amongst them, it was not the least to be lamented, that it compelled Ministers to resort to a measure which might be attended with peril to the innocent and unoffending part of the community.

Bill read a first time.

SCOTCH TURNPIKES.] The Earl of Rosslyn moved the Second Reading of the Scotch Turnpike Bill.

Lord *Belhaven* stated, that he did not mean to oppose the second reading of the Bill, but he had a variety of Amendments to propose; and suggested that the Bill should be referred to a Committee up-stairs.

The Earl of *Rosslyn* assented to this, and the Bill was read a second time, and ordered to be referred to a Select Committee up-stairs.

The Lord Chancellor then proceeded with the hearing of Appeals.

HOUSE OF COMMONS,

Friday, September 16, 1831.

MINUTES.] Bills. Read a second time; Charities Inquiry. Read a third time; Waterloo Bridge New Street Bill.

Petitions presented. By Colonel EVANS, from the Rational Reform Association of Bloomsbury, for an Address to his Majesty, praying that his Majesty would be graciously pleased to recognize the Polish cause. By Mr. FYSHE PALMER, from the Retail Brewers, and Retail Beer dealers, Mechanics, Labourers, and other Inhabitants of Reading, in favour of the Sale of Beer Act, and to be put on the same footing as the Licensed Victuallers.

CASE OF THE DEACLES.] Colonel *Evans* presented a Petition from Cranbrook, in the County of Kent, which referred to the petition of Mr. and Mrs. Deacle, and prayed that the House would investigate the case stated in that petition, and give satisfaction to the parties. This Petition was signed by 150 persons, who had directed him to refer to the hon. member for Kent for testimony of their respectability. He had, on former occasions, taken up so much of the time of the House on this subject, that he felt he should not be justified in trespassing further on the attention of hon. Members upon this occasion. His opinions, with regard to this case, were well known. He must, however, take this opportunity of correcting a misstatement which had gone abroad. It had been said in a powerful and popular publication, that he had kept the petition of Mr. and Mrs. Deacle in his pocket for three weeks before he presented it. Now this was not the fact. He had received the petition on the Thursday, and presented it to the House on the Monday.

Mr. *Wilks* confirmed the statement of the hon. and gallant Member as to the general impression which the case of the Deacles had made on the country. The petitions which were forwarded showed that the subject was forcing itself on the attention of the House: and he was of opinion that something ought to be done, if it were only to satisfy the public mind.

Mr. *Daniel Whittle Harvey* agreed that this case had produced great excitement in the country. He understood, however, that the defendants in the action intended, in the next Term, to challenge the verdict that had been given against them. Now, if that verdict were confirmed, or if the defendants neglected to apply to the Court upon it in the next Term, no doubt the House ought to do something in the matter; but until these facts were ascertained, it would be at once premature and unjust for the House to interfere. At the same time, he was perfectly ready to admit, that Mr. and Mrs. Deacle had been most unjustly prejudiced by what had been said in that House by persons who, being all-powerful there, had not recollected that the other party was weak and powerless. He would recommend the gallant Member (Colonel Evans) to keep his eye upon the proceedings of the defendants, and if they did not apply to the Court in the next Term, or if the verdict against them were not shaken, to bring the matter once more before the House without delay.

Mr. *Hodges* said, that being appealed to, he was bound to state, that he knew several of the petitioners, who were most intelligent and respectable persons.

Mr. *Pringle* said, if the public feeling on this subject was as had been represented by the hon. members for Rye and Boston, he could only say, that it was in a very morbid state, which he attributed to the manner in which the Press had fastened upon this case. There was nothing in the case itself to call for the interposition of the House. It most assuredly could not be said these persons had received a denial of justice. Their cases were still before the judicial tribunals; the hon. Gentleman (Mr. B. Baring) was compelled to vindicate himself; he had been dragged by the Press most unwillingly before the public, and compelled to vindicate himself. He hoped that the House would not interfere further with the business.

Mr. *O'Connell* said, that he had received petitions from Wolverhampton, in Staffordshire, and from a place in Kent, to the same effect as the present petition. He stated this now, in order that he might not intrude the subject a second time upon the House. It was impossible to deny that this case had excited a very strong sensation out of doors—so strong a one, indeed, that it was quite clear the subject would not be allowed to rest where it was. It was quite right, however, that they should wait the result of the legal proceedings to which the hon. member for Colchester had alluded: and while he felt assured that justice would be done to Mr. and Mrs. Deacle, he was equally confident that the respectable parties who were opposed to them would court the fullest inquiry.

Mr. *Cutlar Fergusson* thought, that the Deacles had been very unjustly treated, not only in the transaction of which they complained in their petition, but also by what had passed in that House, where assertions criminatory both of Mr. and Mrs. Deacle, had been stated by persons who could not by possibility have any personal knowledge of those circumstances. He could not join in the opinion of the hon. member for Selkirkshire, but on the contrary, he conceived that the feelings of the public did them honour. Certainly, however, the House ought to wait the result of the defendants' application to the Court to set aside the verdict.

Mr. *Hunt* said the Deacles were grossly injured individuals, and nothing could be more unfounded than the imputation that they deserved the harsh treatment they had received. Their case was an instance of as gross and cruel oppression as was to be found in the annals of county magistracy.

Mr. *Fyshe Palmer* said, that if the Deacles had been unjustly treated, no man could desire more heartily than he did, that reparation should be made to them. He must, however, beg of hon. Gentlemen to recollect, that at the time of the occurrence of this case, the Hampshire Magistrates were placed in a situation of danger and difficulty, which required great firmness and extraordinary measures. Although there were at that time in Hampshire no less than seven mobs, some amounting to as many as 1,500, while others were, of course, much smaller — although these mobs were abroad, and riots, fires, and pillage were of daily occurrence in almost every village in the county, yet there were Members of the House of Commons who were unreasonable enough to complain, that the Hampshire Magistrates had not been, under such circumstances, as cool as Magistrates might be expected to be when they were sitting quietly in their magisterial room, and adjudicating an ordinary occurrence. He knew nothing of the case of the Deacles, except what he had heard in that House, and he could not, therefore, be prejudiced either way. Neither was he a Hampshire Magistrate, but, living on the borders of that county, and having been placed in a situation similar to that in which the Hampshire Magistrates had found themselves, he had thought it right to say thus much in behalf of his brother Magistrates of the next county. In the situation in which the Hampshire Magistrates were placed, they could not have been influenced in what they did by a mere desire of personal safety. If that had been all they wanted, they might have mounted their horses and ridden away; but they did not; they remained and faced the danger. Was there any military to assist them? No; though he had no doubt the Hampshire like the Berkshire Magistrates, applied for soldiers, and were told, as the Berkshire Magistrates were, that there were none to send to them. Now he need not remind the House of the nature of the outrages which the mobs committed; and he would put it to any hon. Member who had not forgotten those outrages, whether, if the Hampshire Magistrates were told that Mrs. Deacle was riding at the head of one of the mobs on a gray horse, those Magistrates were not quite right to secure her, and even to put her into a cart without springs until a post-chaise could be procured?

Mr. *Lamb* said, that if there was to be no further inquiry into the case of the Deacles, he must put it to hon. Members what good end could be answered by debating the merits of it; and if there were to be any further inquiry into the case, he felt it his duty to remind hon. Members, that discussions like the present must necessarily prejudice one or other of the parties concerned. He should not have made this observation but for the speech of his hon. friend, the member for Reading, who, though doubtless with the best intentions possible, had trenched very far upon provoking others to rip up once more all the circumstances of the case, and to re-discuss the individual merits and demerits of each of the parties concerned, and that, too, while legal proceedings on the subject were pending.

Mr. *Francis Baring* said, that after the judicious observations of the hon. Gentleman who had just sat down, he would make but one remark. It was this. He was extremely sorry that Gentlemen who now complained that prejudice had resulted from the discussions upon the subject in that House, should not have foreseen this result before they brought the case forward. If the Gentlemen did not exactly know who would be prejudiced, it might at least have occurred to them, that when parties were charged with acting with the greatest brutality, some one must suffer by having his case prejudiced.

Petition read.

Colonel *Evans* was happy to hear, that the case was to be brought before a Court of Law, and if he had known that fact before, he should have abstained from saying a word upon the matter. Until the legal proceedings were disposed of, he should join with the hon. member for Colchester in deprecating any further discussion upon the subject; and he now begged leave to present, without one word of comment, another petition, to the same effect as the last, from Leamington Priors.

The Petition to lie on the Table.

SECRETARY TO THE MASTER OF THE ROLLS (IRELAND).] Mr. *North* rose to present a Petition from Sir William Macmahon, the Master of the Rolls in Ireland, setting forth, amongst other matters, that there had been for many years a controversy between the Master of the Rolls and the Lord Chancellor respecting the appointment of the Secretary to the former Judge. The Master of the Rolls in the one country possessed as high and as extensive an authority as in the other; but from the time of James 1st to the Union, the office in Ireland became, in a great degree, a sinecure, and the Masters received letters of license to be absent; but the increase of Chancery business at that period rendered its revival necessary; and though the original patent gave the Master of the Rolls in Ireland the same power as that enjoyed by the Master of the Rolls in this country, yet the statute under which the revival was effected took no specific notice of the right to appoint a Secretary. In the year 1806, the late Mr. Curran was appointed to the office of the Master of the Rolls, and he appointed his own Secretary, but Lord Chancellor Ponsonby made an order that the Register of the Court of Chancery should not receive or file any petition which was not signed by his Lordship's Secretary, thus completely nullifying the appointment made by the Master of the Rolls. To this order Mr. Curran submitted. The present Master of the Rolls, however, was determined to assert his right to the appointment of his own Secretary, and, with the view of trying the right, appointed Mr. Shaw, the member for Dublin. This occurred during the chancellorship of Sir Anthony Hart, and that learned individual met the appointment in the same way as Mr. Ponsonby. The Master of the Rolls was thus precluded from trying the issue in the manner most usual in cases where a right of appointment is controverted, and was driven to the necessity of arguing his case by Counsel before the Lord Chancellor, who decided against him. He had now, therefore, no alternative but to apply to the House, praying that an Act might be passed, removing the barrier which interposed between the petitioner and a legal ascertainment of his right by putting the question in a course of trial. The hon. Member concluded by moving that the petition be brought up.

Mr. *Crampton* observed, that it was a case of some difficulty, and one on which the ablest and most learned lawyers might differ. The question which Sir Anthony Hart had to determine, on going over to Ireland, was, whether his own rights were to be conceded in favour of the Master of the Rolls. He (Mr. Crampton) did not intend, on that occasion to go into the law of the case; but he was bound to state, that in his opinion, Lord Chancellor Hart had taken into consideration the customs and usages of the place, which certainly did not require him to give up the fees of his own Secretary in favour of the Secretary of the Master of the Rolls. That was the question which Lord Chancellor Hart had to decide; whether he had decided it rightly or wrongly, he (Mr. Crampton) would not take upon himself to pronounce; but, at all events, this he would say, that it was not of that plain and easy decision that had been assumed by his hon. and learned friend. He admitted the antiquity of the office of the Master of the Rolls in Ireland; but, on the other hand, it was to be observed, that up to the beginning of the reign of George 3rd, such a person as Secretary of the Master of the Rolls, distinct from the Secretary of the Lord Chancellor, had never been heard of; and the first time that a claim to that effect was made by the Master of the Rolls, who, at that time, was Mr. Curran, the demand was immediately repudiated and put down by the Lord Chancellor Ponsonby. Another point that particularly weighed upon Sir Anthony Hart's mind was, that when a return of the fees of his office was required from Sir William M'Mahon in 1821, he made no mention whatever of a separate Secretary of his own, or of his fees. With respect to Lord Plunkett, he would not take on himself to say what would be his decision on the case, should it come under his notice; but at all events he might remark, that the Lord Chancellor had no power of his own to reverse the decision, till it was legally brought before him by one of the parties in the shape of a rehearing; and that had not been done; so that, at present, of course, the two previous judicial orders of Lord Ponsonby and Sir Anthony Hart remained as they did. With respect to arbitration, he thought that it would be highly indecorous to refer the decisions of those who had been the highest law authorities of the country to a subsequent arbitration. As the question now stood, he thought that the only way of carrying it further would be, by a distinct legislative enactment; for he did not see how Lord Plunkett could with any decency take on himself to reverse the decrees of two of his predecessors on this subject.

Mr. *O'Connell* said, the whole question was simply this: — The Master of the Rolls claimed a privilege which the Lord Chancellor denied; then, if this was the case, why was it not tried at law, and so settled? Because the Lord Chancellor, by his order, put a veto upon it. Surely that was not a right state of things—and yet that, if they talked for ever, was the whole state of the case. Having investigated this question in his judicial capacity as a Member of Parliament, he was bound to say, that in his own mind he had not the slightest doubt that the Master of the Rolls possessed the right which he claimed. He admitted that the Master of the Rolls had acted injudiciously in suffering his right to lie dormant for so many years; but that was accounted for in the petition on the score of delicacy; and though a man's duty—and this was one—ought not to have been sacrificed to motives of delicacy, still it was a feeling that demanded respect. He thought that the hon. and learned Gentleman (Mr. Crampton), in admitting that the Master of the Rolls' office was one of prescription, had admitted the whole of his case.

Mr. *James L. Knight* thought, that the question of the Master of the Rolls' right on this point hardly admitted of a doubt; and he said this after having looked into all the papers on the subject. The question was one of importance to the public, because the attendance of the Lord Chancellor's Secretary, or his deputy, in the Rolls Court being very irregular, it frequently happened that the Court was actually obliged to stand still. He trusted, therefore, that the House would consider this as a case which called for legislative interference.

Mr. *Cutlar Fergusson* said, he did not understand that his hon. and learned friend, the Solicitor General for Ireland had resisted the prayer of the petition. His was undoubtedly a difficult and painful situation, but he had acted prudently. For his own part, he had formed a decided opinion upon the merits of the case, and he was bound to say, he had not a doubt that the Master of the Rolls, as the independent Judge of an independent Court, ought to appoint his own Secretary. The present state of things, by which he was deprived of that right, ought to endure no longer.

Sir *Robert Peel* thought, that the House was agreed as to the fact, that the Master of the Rolls ought to be allowed to try the right. The Master of the Rolls did not ask the House to give any opinion on his right, but only that he might be enabled to try it.

Mr. Serjeant *Wilde* hoped, that the present Lord Chancellor would co-operate with the Master of the Rolls to have this question investigated. He was, however, strongly inclined to believe that the right of appointment rested with the Master of the Rolls.

Mr. *Lefroy* said, the ground of complaint was, that Sir Anthony Hart had decided a case in which he was himself interested. This was against all the rules of dispensing justice. In saying this, he knew if any person could deserve to be trusted with such power, it was Sir Anthony Hart, than whom a more high-minded and upright Judge never sat upon the Bench. He rejoiced that the petition had been brought forward, and hoped the parties chiefly interested would come to some agreement, so that there should be no necessity for the House interfering.

Sir *Charles Wetherell* said, that it would be no difficult thing to put the question in a shape to have it decided. It might be taken before the Privy Council for decision; but what he would suggest was, that it should be placed in a train of legal investigation by the parties, without the House interfering in the affair.

Mr. *John Campbell* thought, from the character of the noble Lord who was now Lord Chancellor of Ireland, that he would at once yield the point without carrying the case to trial.

Mr. *Shaw*, in support of the petition, said, that the reason why the Lord Chancellor of Ireland had, up to 1801, executed all the functions of the Master of the Rolls was, not that there was no such officer, as had been asserted, but that he generally resided in England, under a constantly renewed license of leave, it being considered more a political than a legal appointment.

Mr. *North* moved, that the petition be printed, and said, whatever course the House might ultimately take, he had no doubt the whole of the present discussion must be highly gratifying to the Master of the Rolls.

Public Works (Ireland).] The House then went into a Committee on the Public Works' (Ireland) Bill.

Mr. *Goulburn* complained, that the improvements promised by the Government, were neither more nor less than the turning out one set of Commissioners to make way for another. He thought that the claims of a man like Mr. Payne, whose abilities were acknowledged, and who had been thirty-three years a servant of the public, should not be passed over; and he moved, therefore, that the word "three" in clause 5th, should be left out, for the purpose of substituting "three of the present," meaning Commissioners of Inland Navigation.

Mr. *Spring Rice* repelled the imputations of the right hon. Gentleman with great indignation, and said, that instead of these gentlemen being all friends of the present Government, one of them had been absolutely promoted to office by the right hon. Gentleman himself, whilst Secretary for Ireland.

Mr. *Stanley* defended the conduct of the Irish Government in the appointments referred to. He himself had the blame or merit of them, such as they were. One of the parties he had never seen, to his knowledge, to that hour, and he had only appointed the gentleman from the account he had received of his diligence and activity in the discharge of his public duty. He utterly disclaimed the imputation of having made the appointments from personal or party feelings.

Mr. *George Dawson* did not mean to deny the activity and intelligence of the gentlemen appointed; but those who had been passed over had equal, if not superior claims on similar grounds; and they had the additional claim of having been much longer in the public service. One of the gentlemen so passed over had been for thirty-four years an able, active, and intelligent public servant; another had served in the office he had held with credit to himself and advantage to the country for sixteen years; but the gentlemen appointed had not seen any thing like that length of service—one of them having been in office only six years. He did not blame Ministers for serving their friends, but they ought not to do injustice to others who had long been employed in important situations, the duties of which they had discharged with zeal, ability, and fidelity to the public.

Mr. *Hume* opposed the Bill, but not on the grounds alleged by the hon. Gentlemen below him. He did not attribute to his Majesty's Ministers any partiality or favouritism. God knew, any thing but that. It was the conversation in every place, on every day, that his Majesty's Ministers were more incapable of distinguishing between their friends and their enemies, than any men who had ever sat on the Treasury benches; and it would be a miracle if they could carry on the great measure which they had undertaken, against the exertions making in hostility to it by official men. Why, there were the recent occurrences at the Dublin election. If he had been in the situation of his Majesty's Ministers he would have removed half the persons in office who had opposed them on that occasion. He hoped they would not continue to be so weak as to be advised by their enemies; but that they would rally round their friends. He was borne out in these observations by everything that occurred. The majority of the Lord-lieutenants of the counties of England were opposed to his Majesty's present Ministers. [Some *Hon. Member* exclaimed, "That's in *The Morning Chronicle !*"]. To be sure; it was in *The Morning Chronicle.* He wished his Majesty's Ministers would take a leaf out of *The Morning Chronicle.* They would consult the feelings and advantage of the country by doing so. He repeated, that his Majesty's present Government had acted with more partiality towards those politically opposed to them, than any Government that had ever preceded them. It was not, therefore, on the ground of the political partiality of Ministers that he opposed the Bill. He opposed it because the appointment of the Board under the Bill appeared to him to be a great waste of the public money. He wished to have the advances for public works for England, Ireland, and Scotland, all under the disposal of the unpaid Commissioners of London. Those Commissioners had disposed of 3,285,000*l.*, with no expense to the country but the trifling one of clerks and house-rent. Why not place at their disposal the 500,000*l.* for Ireland? Why have a local Board? If it were necessary to employ engineers in Ireland, let them be employed under the Board settled in London. He had no objection to the consolidation of the Boards of Inland Navigation and Public Works in Ireland, but he did strongly object to a Board of paid Commissioners for applying 500,000*l.* for Public Works.

Sir *J. Newport* said, that notwithstanding the observations made by his hon. friend, and his desire to have all the public business conducted in London, he must be permitted to say, that although he was a decided enemy to all jobbing, yet it would be wholly impossible to conduct the business which it was the dutyof this Board to perform by persons resident in London. It would be necessary on any applications being made for money, to send to Ireland, and make inquiries, to wait for answers, by which means several weeks at least would be wholly lost. This delay would tend to defeat the beneficial measure itself; he had always felt an objection to the constitution of the Board of Inland Navigation. The Commissioners had little else to do but receive their salaries. He therefore supported the measure, and was sure that it would be most beneficial.

Mr. *James Grattan* said, that the Commissioners of Inland Navigation had never performed any services to the public, and he saw no reason why any of them should be appointed to a situation where real and efficient services would be required. He should have liked the Bill better if none of the old Commissioners had been placed on the new Board. He was confident that a sufficient number of gentlemen could be found in Ireland willing to perform the duties of Commissioners gratuitously.

Mr. *Littleton* said, that he saw no reason to doubt that a sufficient number of gentlemen could be got in Ireland to perform the duties of a Commission, without salary, if it were deemed expedient to adopt that course; but he acknowledged that he did not possess sufficient information to enable him to pronounce upon its practicability. He was sure, that in the proposed diminution of the number of Commissioners, his right hon. friend, the Secretary to the Treasury, consulted the interests of the public.

Mr. *Jephson* did not approve of the system proposed to be established by the Bill. He thought it exceedingly cumbersome, and very unlikely to produce the desired effect.

The Amendment negatived, and clause agreed to.

On the 12th clause being read,

Mr. *George Dawson* remarked, that he thought this clause objectionable; as it contained an oath which he saw no necessity for, and it was a bad practice to multiply oaths in legislative enactments. The oath was simply this—"I——do swear that I will faithfully and impartially exercise the powers vested in me by this Act." He hoped this might be left out of the clause.

Mr. *O'Connell* concurred in the objection made by the right hon. Gentleman; it would have the effect of increasing the horrible practice of oath-taking. As his Majesty's Government had, in one year, abolished such a vast number of unnecessary oaths, he hoped they would not resist a similar improvement in the present Act.

Mr. *Spring Rice* observed, the oath had been introduced in conformity with established custom, but he had no objection to dispense with it in the present Bill.

Clause agreed, to omitting the oath.

On the 24th clause being read,

Mr. *Hume* objected to the clause which gave power to the Grand Jury to raise money by loan for the purposes of these works. Such a power was a dangerous one, and likely to lead to extravagance. The effect of it was visible in the heavy burthens which the public had now to bear from the facility of borrowing money for unlimited periods. If a person borrowed money for three or four years, he might reasonably be supposed to make some provision for repaying it, but if he borrowed for many years, he became callous and indifferent as to the payment.

Mr. *George Dawson* considered this clause to be the most unexceptionable part of the Bill. He could by no means believe any Grand Jury would abuse the powers intrusted to it. Parliament might have the conduct of the Grand Jury brought before it, besides which, there was the superintendance of the Treasury.

Mr. *Jephson* agreed with the hon. member for Middlesex in the opinion that the power given by the clause to Grand Juries would be exorbitant, and might be exercised to the prejudice of the community.

Mr. *O'Connell* also thought, that the clause was one from which mischief would arise. He considered that the proposition manifested a spirit to trifle with the country which Ministers professed to serve. It was at best nothing more than a species of quack medicine, and held out to Grand Juries a temptation to make places and emoluments for themselves and their friends.

Mr. *Brownlow* said, that one of the great wants of Ireland was the want of good roads from one part of Ireland to the other. In many districts the roads intersected each other, and the travelling was rendered, by that means, extremely difficult. The clause, he thought, ought to be adopted, as it would furnish a means of repairing and making these roads, and promoting the improvements of Ireland, while it gave employment to the people.

Sir *Robert Bateson* supported the clause, although he thought it would give facilities for corrupt practices. The repairing of the roads he looked upon as a paramount object, and would compensate for the abuse which might grow out of the experiment. The Grand Jury system needed a total Reform. In fact, it was fraught with more dangers and evils than any other system from which the population of Ireland was suffering so grievously; and if that system were effectually reformed, it would be a great benefit to the people of Ireland. As to the Bill itself, he must say, that it had much disappointed him.

Mr. *James Grattan* objected to giving Grand Juries any additional powers. At present, it was only necessary to ask Grand Juries for money, and it was sure to be granted. The clause would operate as a tax on the occupiers of the land.

Mr. *Sheil* thought the clause was a salutary one, and that the objections which were made to it would extend to the whole Grand Jury system. Without the clause the Bill would be inefficient.

Mr. *Hume* said, that on principle he could not consent to Grand Juries having the power to mortgage the revenues of the county. As an instance of the way in which such things were managed, he would refer to the parish of St. Marylebone, in which he resided, and which was governed by a self-elected Vestry, who, in the course of a few years, had spent upwards of 200,000*l.* In one instance they had built a new court house at the cost of 60,000*l.*, while there was already one in existence which answered all the purposes required. He wished that the power of issuing money should be limited to five years.

Mr. *Daniel Whittle Harvey* said, that the Gentlemen who opposed the clause proceeded upon the assumption, that Grand Jurors had no interest in the soil, but only in the misapplication of money. The hon. member for Middlesex had compared their constitution to that of the Select Vestry of Marylebone, but the cases were very different. In the Select Vestry case the complaint was, the people had no control over their own affairs, while, under this Bill, every inquiry and examination must be gone into, before any advance of money could be had. The Board was to see it properly applied, and that the security was adequate. The excellence of the plan, in his mind, was, that while it gave every encouragement to judicious improvement, it provided for the repayment of the money expended.

Mr. *Hume* said, his great objection to the clause was, that it seemed to encourage a feeling which was already too prevalent, viz., that because persons had a power to borrow they must necessarily be rich. If persons could easily get money, they were always careless as to their payments; but as the general feeling of the House seemed not to go to the extent of his Amendment, he would content himself by moving an Amendment, the effect of which would be, to secure the repayment of the money in five years instead of ten.

On the Amendment being put,

Mr. *Ruthven* said, as Grand Jury jobbing had been referred to, in illustration of that he would instance one fact in the county of Kildare: two gaols had been built at opposite extremities of the county where one in the middle would have answered every purpose.

Mr. *George Dawson* observed, that the building of gaols did not rest with the Grand Juries. They could not be erected without an Act of Parliament, by which the power was vested in the Judge to say in what case a gaol was necessary; therefore the instances of jobbing introduced by the hon. member for Downpatrick, only went to prove, if there was jobbing, that it rested with the House of Commons. All the Grand Jury had to do was, the levying money by the authority of Act of Parliament.

Sir *Robert Peel* thought, that as some alteration was to be made in the Grand Jury system, it would be better to wait till then before they granted a sum of 500,000*l.* to be placed at the disposal of a Grand Jury, which was, at present, an evanescent and irresponsible body. At the same time, he thought that in legislating for Ireland, they often made three holes in attempting to mend one. He wished to see the nature of the system to be substituted, for at present, he viewed the expediency of granting money to Grand Juries in Ireland, to be expended on public works, with some doubt. He was more anxious to grant money for Ireland than for England, because it was more wanted; but he wished it to be expended on some sound principles of economy.

Mr. *Stanley* hoped, that he should be more fortunate than his predecessors in the Bill which it was his intention soon to submit to the House, for amending the Grand Jury-laws. He admitted, that the great defect of the Grand Jury system was the want of responsibility and of publicity. That defect he hoped to remedy in his Bill. At the same time, practically, the Grand Juries could not now be called evanescent, as it was rather matter of complaint against them, that they were generally composed of almost the same persons.

Mr. *Shaw* said, if it were necessary to vest the power created by this Bill in some hands to have it administered, he knew no other body likely to exercise it with more discretion than Grand Juries.

Mr. *Hume* said, he had not heard a single reason to make him alter his opinion on this clause. He thought it ought to be rejected. It was a mere delusion to make the Irish people believe there was any great advantage to be derived from the advance of money which was to be repaid again with interest. He was surprised to hear Gentlemen call out "money, money," upon all occasions. He was afraid this measure would merely give the country the appearance of temporary prosperity, to end in disappointment and vexation when the amount advanced was to be repaid.

Mr. *Callaghan* said, he should certainly take the sense of the Committee on the clause, which he thought would lead to abuses. He had served himself on many Grand Juries, and had always observed, there was a greater inclination to expend large sums of money when the repayment was spread over a great many years.

Mr. *Blackney* was of opinion, with other hon. Gentleman who knew the constitution of Grand Juries, that too much power was to be given to them under the clause. He knew several cases in which they had encouraged a most lavish expense of money. If the hon. member for Cork, therefore, persisted in dividing the House, he must vote with him.

Mr. *Sheil* said, that expunging this clause would destroy the effect of the Bill. The power could not well be granted to individuals, but must be given to public bodies, and there was no other public body equal to the Grand Jury, which was generally composed of the gentry of the county, and, in fact, taxed themselves. All the evidence before Committees, and past experience, had proved, that public works wherever they had been carried on in Ireland, had produced great public benefits. The public would have a control over the money; there was to be no clandestine appropriation of it.

Sir *Robert Peel* was of the same opinion. He had not intended to vote against the clause. If the alternative were offered him, either to reject the clause, or let it stand as it did, he should adopt the latter, much as he disliked the intrusting this grant to Grand Juries. He had thought it would be an improvement of the clause to substitute five years for ten.

Mr. *Jephson* hoped the hon. member for Cork would not press his Amendment.

Mr. *Callaghan* said, that in deference to what appeared to be the wish of the Committee, he should not persist in his intention to divide on the clause, and he should vote for the Amendment of the hon. member for Middlesex.

Colonel *Torrens* thought it was absurd to expect that a country would derive any permanent advantage from a loan of money to carry on public works, unless it could be shewn they were of such a nature as would yield a surplus after the repayment of the sums employed in them.

Mr. *Spring Rice* was afraid, by enacting the advances to be repaid within five years, such hard terms would be enforced on Grand Juries as would effectually retard the promotion of public works.

Mr. *Hume* said, it was only by a steady increase of employment the country could be permanently benefitted. It was an erroneous system to lay out as much in one year as could be repaid in ten; he should certainly press his Amendment.

The Committee divided on the Amendment: Ayes 33; Noes 102—Majority 69.

Mr. *Hume* thought five per cent interest was too much to be charged on these advances, when the interest on Exchequer-bills was not much more than half that amount; he should therefore move as an Amendment, that four per cent should be substituted for five per cent, as the interest of loans made under the Bill. He wished to inform the House, that nine millions and a half of money had been expended in England for public purposes at an annual expense of 2,700*l.*

Mr. *Spring Rice* said, the clause was precisely the same as that contained in the English Bill on the same subject; the Commissioners had precisely the same powers.

The Committee divided upon the Amendment: Ayes 43; Noes 81—Majority 38.

Clauses from 26 to 32 were then severally read, and agreed to. The 33rd clause was then read, when

Mr. *Lefroy* thought it was impossible that the clause could stand as it was. The advances were to take precedence for repayment of mortgages and all existing encumbrances. The present claimants on property would be wholly forestalled by the Commissioners for money lent on the speculation of improving the property. Suppose land was mortgaged to a considerable extent, and advances made by the Commissioners on that land were to take precedence of such claims, the effect of the clause would be in such cases most unjust.

Mr. *Spring Rice* said, if the hon. and learned Gentleman would consider, that as the value of the land would be most materially increased by those advances, it was by no means unjust that the Commissioners should have the first claim.

Mr. *Hume* said, he must wholly protest against such proceedings and doctrines: the Government undertook to advance money on land, whether a person who held a considerable claim on it approved it or not, and then said, we have the first claim; why, this was interfering with private property in a most unfair manner.

Mr. *Crampton* said, his hon. friend had left one part of the case out of view, if he would but consider how much the property would be improved, he would see that the security to the holder of the mortgage would be increased.

Mr. *James Grattan* remarked, that it was possible that the proprietor of the land might borrow money from the Commissioners merely for the purpose of evading the payment of a mortgage, and in some cases it would be impossible that the land could be so much improved as to recompense the mortgagee for this inconvenience.

Mr. *Spring Rice* said, in consequence of the objections that had been made, the clause should be withdrawn for the present. In the next clause he begged to inform the Committee, an Amendment had been introduced; it had been originally intended, that where the extension of any work was proposed, the Commissioners should not be satisfied with the security of such extension, but that they should require security for the performance of the whole work. It had been suggested, that such a clause might in certain cases be very inconvenient; for instance, suppose a canal of thirty or forty miles in length which produced an annual return of 10,000*l.*, was proposed to be extended, it would be most unreasonable to require security for the amount of the whole work.

The Amendment was agreed to.

Clauses from 33 to 113 were then agreed to, with three new clauses proposed by Mr. Stanley.

Mr. *Shaw* inquired, if any part of the money was to be advanced to forward manufacturing improvements?

Mr. *Spring Rice* replied in the negative.

House resumed.

HOUSE OF LORDS,

Saturday, September 17, 1831.

Minutes.] New Peer. Colonel Arthur Chichester, created Baron Templemore, took the Oath and his seat. Bill. Read a second time; Spring Guns.

HOUSE OF LORDS,

Monday, September 19, 1831.

Minutes.] Bills. Brought up from the Commons and read a first time; the Wine Duties, and the Waterloo Bridge New Street. Committed; the Public Works (England); the Turnpike Roads Regulation; Contempts in Ecclesiastical Courts.

Reform Petition.] The Duke of *Devonshire* said, that he had to present to their Lordships a Petition, most numerously and respectfully signed, from the town of Derby, praying for Parliamentary Reform. He ought, however, to state to their Lordships, that this was not a petition that had been recently prepared. It was, in fact, a petition which had been prepared and signed so long ago as the month of March last, but it had been transmitted to him only a few days since, and the petitioners were of opinion, that it could not be presented at a better time than when the measure of Parliamentary Reform was about to come under their Lordships' consideration. He would only add to this statement, that he spoke upon unquestionable authority, when he stated, that the ardour for Parliamentary Reform was by no means abated in Derby; and that, if a similar petition to the present were now to be offered for signature there, it would receive many more names than were attached to this petition.

The Marquis of *Londonderry* said, he was not acquainted with the town of Derby, nor was it his intention to interfere with anything the noble Duke had said as to the respectability of its inhabitants, or their unanimity in favour of Parliamentary Reform; but he had received one or two letters from persons who, he understood, were entitled to credit, in which it was stated, as the noble Duke said, that the petition was signed in March last, and that it did not refer to the Bills now before the Legislature on the subject of Reform, but to that which had been produced in the last Parliament. One of the letters was signed by Mr. Thomas Euston, a surgeon, and it asserted, that, so far as Derby was concerned, the petition was fallacious, and that it was agreed to at a public meeting held on the 14th of March last, and that the signatures were all attached to it in the course of the same month. The letter also pointed out, that, if the document were examined, the figure 3 would be found over the letter A, which was erased, in order to make it refer to the three Bills now before Parliament, instead of a Bill which was then before the House of Commons. Having been called on by those gentlemen to make this statement, he did so on their authority; at the same time, he thought that their Lordships must admit that the objection was well founded, and that the petition did not come in a proper manner before them.

The Duke of *Devonshire* said, he had already admitted, that the petition was signed in March, but he was authorised to state, that the same feeling now unanimously existed in favour of Reform in the town of Derby.

The Duke of *Cumberland* begged to observe, that as the petition was signed before the present Parliament was in existence, and as it evidently related to a measure which was before a former Parliament, it could not be received.

Lord *Kenyon*, on the point of order, was of opinion, that as the noble Duke who presented the petition admitted that it was signed in the month of March last, and as it related to a bill which was then before another Parliament, it could not be now received consistently with the usual course of their Lordships' proceedings.

The Marquis of *Londonderry* moved that the petition be withdrawn.

Earl *Grey* said, that the motion to withdraw the petition was irregular, for, if it were the sense of the House that it could not be received, the noble Duke who presented it would himself withdraw it. It would be as well, however, that the petition should be read, in order that the House should understand exactly what it prayed.

The Petition read, praying that the House would pass the three Bills which were before the other House of Parliament, when they came before their Lordships.

Earl *Grey* said, he did not remember, in the course of his experience, any similar case. It was alleged, and indeed admitted by the noble Duke, that the petition was signed in March, yet there did not appear on the face of it any evidence of time. It prayed the House to pass certain Bills. and so far it was plain and regular; but if the fact was, that it was signed during the sitting of another Parliament, and in reality addressed to another measure than that now under consideration in another place, he thought that there must be some difficulty in receiving it. As it was a new case, he thought the better course would be, to adjourn the discussion upon the reception of the petition until an opportunity was given for inquiring if any similar case had existed, and in what way it was treated by the House.

Lord *Wharncliffe* said, that it was quite evident that the petition could not be received. The petition was signed in March last, and it related to three Bills which were then not really in existence. He submitted, therefore, to his noble friend, that the best course was at once to withdraw the petition; and no injury would be committed on those from whom it came, as, if the feeling still existed in Derby, they would have no difficulty in getting up another petition to the same effect.

The Marquis of *Londonderry* said, he had examined the petition, and in justice to the individuals who had written to him, he must declare, that there had been clearly an alteration made from "a Bill," to "three Bills," which last were the words that now appeared in it.

The Earl of *Eldon* said, that with regard to the reception of the petition there could be but one opinion. He thought that the House ought to be much more careful than it was in investigating the numerous petitions that were daily laid before it. One, for instance, was signed by a chairman on behalf of a meeting, though that meeting might be little more than nominal; and of others the contents were such as did not entitle them to be received. If this petition related to another Reform Bill than that now before the other House, and if it referred to a Parliament which was not in existence when it was signed, it was impossible that it could be received. He therefore agreed with the noble Lord near him, that the only course was to withdraw the petition, and the parties would have another opportunity of sending forward their wishes in a more regular manner. He thought that the noble and learned Lord on the Woolsack should take care that no petition was received by the House which did not maintain the legitimate authority of the House.

The *Lord Chancellor* sincerely wished, that he or any other person in that House had the power of doing that which his noble and learned friend seemed to think it the duty of the LordChancellor to do. He had always understood that between the Speaker of that House, and the Speaker of the other House of Parliament, there was this marked difference—namely, that the Speaker of this House had no more power or authority than any other of their Lordships. He might be wrong, but this was his understanding of the matter. He could not help observing, that never since the moment in which he first entered Parliament, had he been so much astonished as he had been at the utter absence of every thing like order and regularity in the discussions which took place among their Lordships. He did not impute this as a matter of blame to any of their Lordships individually. He laid the whole blame upon the faulty construction of their Lordships' Speaker. Their Lordships had agreed to very excellent Standing Orders—Standing Orders calculated to meet all irregularities and infringements of forms; but then, unfortunately, it was not the province of any particular person to enforce those orders. Any or all of their Lordships were at liberty, no doubt, to enforce these Standing Orders if they pleased; but then, as their Lordships well knew, there was a vulgar proverb, not less true than trite—namely, that what was every body's business was nobody's business; and the consequence of this proverb holding good with respect to their Lordships, as well as with respect to more humble persons, was, that nobody enforced their Lordships' Standing Orders, and that more irregularity prevailed in the debates of their Lordships, than in the discussions of any other public assembly which he had ever heard of. One noble Lord would get up and deliver himself in speeches, at least ten times, without there being any question before the House; and another noble Lord would rise, and seeming to think that he remedied the defect of there being no question before their Lordships, by putting some half-dozen questions to his noble friend (Earl Grey) opposite; another made as many speeches as he put questions, and was followed by other noble Lords in the same course—all this occurring in spite of there being, in point of fact and form, and in the proper sense of the word, no question at all before the House. Now he should heartily rejoice, if the Speaker of that House had the power of suggesting, for that was all the power he desired the Lord Chancellor to have, that such a course was not in conformity with the rules by which their Lordships had agreed that the proceedings of that House should be regulated. He, however, had no objection to take upon himself the labour of ascertaining that in the petitions presented to the House, there was nothing contrary to the orders and privileges of their Lordships; but then he must do this merely as an individual Peer, for as Lord Chancellor he had no other power than any of the rest of their Lordships had. In the other House of Parliament this was not done, neither was it necessary that it should be done; for although the Speaker of that House, unlike their Lordships' Speaker, had very extensive powers, yet the responsibility, with regard to the contents of petitions presented to that House, rested with each Member who presented a petition, and whose duty it was to see that the petition was a proper one—that was to say, proper as to the form and wording of it, for it was not, of course, expected that a Member should be answerable for the sentiments contained in a petition. He thought that if noble Lords would be good enough to pay the same attention to the petitions put into their hands, the result would be found very convenient to the House, and would obviate, so far as petitions were concerned, the objection that the Speaker of the House had no power to make that interference which his noble and learned friend (the Earl of Eldon) on the cross-bench was disposed to think that the Lord Chancellor had the power to make. He repeated that he had always understood that the Lord Chancellor had no such power.

The Earl of *Eldon* admitted, that the Lord Chancellor had no more power than any other individual Peer, but it had been generally taken for granted, in a debate which he well recollected, that the Lord Chancellor, as a Peer, was to be expected to have some knowledge of the nature of the petitions presented.

The Earl of *Carnarvon* had understood the noble Duke (of Devonshire) to admit that the petition was signed in March, and addressed to the late Parliament. If he were right in this understanding, it would be a discourtesy to the noble Duke to adjourn the discussion for the purpose of ascertaining the correctness of facts which the noble Duke had admitted to be true.

The Duke of *Devonshire* said, that with their Lordships' permission he would withdraw this petition, and he should withdraw it the more willingly, because he had no doubt that he should shortly have to present to their Lordships another, more strongly expressive of the anxiety of the people of Derby for the success of the measure of Reform.

Petition withdrawn.

Affairs of Portugal—Explanation.] The Earl of *Aberdeen* said, that not having been present in the House on a former evening, he was unable to state precisely the terms in which the noble Earl (the First Lord of the Treasury) had contradicted a statement which had been made, during a preceding discussion, by himself as well as by the noble Duke (Wellington) near him, respecting the transactions of the French Admiral in the Tagus, and more especially respecting that part of those transactions which related to an attempt on the part of the French Admiral to obtain for the French nation certain commercial advantages from Portugal. He had been informed, however, and he believed, with a degree of accuracy on which he might safely depend, that the noble Earl had stated, that a reference on this subject had been made to the French government, and that the French government, having expressed great surprise at the statement, had declared that there was no truth in the statement. The noble Earl, too, as he had been informed, had accompanied this communication with a glowing eulogy upon the good faith of the French government. It was not for him to object to the noble Earl passing eulogies on whom he pleased, but he could not help observing, that, knowing what the noble Earl, must know, and seeing what the noble Earl could not help seeing, he was greatly surprised that the noble Earl should have ventured to have contradicted on such authority a fact which had been positively stated by the noble Duke and himself. His case was a very simple one; and if he was obliged to re-state it, and to substantiate every syllable that had fallen from himself and from the noble Duke, the fault rested with the noble Earl, and not with him or with his noble friend. Their Lordships might recollect, that on a former occasion he had adverted to the entrance of the French fleet into the Tagus, and to the convention of the 14th of July, by which convention the French Admiral engaged to send away the greater part of his fleet within ten days. Before, however, those ten days had expired—on the 22nd of July—the French Admiral proposed a sort of supplementary convention, the object of which was, to extort from the Portuguese government further concessions, and to obtain from Portugal commercial advantages for the French. This was the statement which he had, on the occasion he had before alluded to, made to their Lordships. When he made that statement, he spoke with the convention in his hand, and in again addressing their Lordships, he also spoke with that convention in his hand. On the former occasion, however, he had done little more than allude to the contents of the convention, and he had called the attention of their Lordships to no other part of those contents than that in which the commercial interest of this country was concerned. But now he felt himself called upon to state more fully the nature and objects of this convention. It consisted of eight articles: and, before proceeding to notice them, it was, perhaps, necessary for him to state, that the only cause he had ever understood to exist for this convention—for it was not founded upon any infraction of the former convention—arose out of some erroneous statements which had appeared in certain non-official Portuguese journals, he believed in some Oporto newspapers. This, he repeated, was the only cause he had ever heard of for this second convention—the first article of which provided, that the erroneous statements complained of should be corrected in the *Lisbon Gazette*, the correction having been first submitted to the revisal and approval of the French Admiral. The second article related to French travellers arriving at Lisbon. Instead of being compelled to remain in port, there was to be an immediate verification of their passports, and they were to be admitted without delay. Agents were to be appointed, who would be charged with the execution of the duty of verifying the passports. The third article related to alleged insults which had been offered to the first French ship which arrived under the tricoloured flag in the Portuguese ports; and the French Admiral expressed himself satisfied with the explanations given therein upon that subject. The fourth article was that which intimately concerned this country; and to that he must entreat the particular attention of their Lordships, especially as it was the article upon which he had founded the statement which the noble Earl had contradicted. First, however, he must inform their Lordships, that the proposition of the French Admiral was very different from what it might be imagined to have been, by the tenour of the article agreed upon. The proposition of the French Admiral might be understood from the answer which was couched in the following terms:—"Sur les représentations de M. l'Amiral, au sujet de la défaveur qui frappe le commerce Français à Lisbonne, comparativement au commerce de l'Angleterre, M. le Vicomte de Santarem a promis que dans le cas d'un renouvellement de traité avec les pavillons etrangers, son gouvernement serait disposé, et il s'engageait lui même à mettre la France au rang des nations le plus favorisées." The proposition of the French Admiral was considerably modified by the government to which it was addressed—by that government which we still called our ally, although we were doing all we could to overthrow it. The fourth article of the convention, therefore, as it was finally drawn up, merely declared that the Portuguese government was disposed to treat upon commercial affairs advantageously to France, and reciprocally to Portugal. It ran in the following words:—Sur les représentations de M. l'Amiral, au sujet de la défaveur qui frappe le commerce Français à Lisbonne, M. le Vicomte de Santarem ayant fait des explications sur ce sujet, a declaré que dans le cas de se traiter dans l'avenir des arrangemens de commerce, le gouvernement Portugais est disposé à traiter sur cela d'une manière avantageuse pour la France et reciproquement pour le Portugal." The fifth article of the convention provided, that indemnity should be given to the French subjects in Portugal. The sixth article declared, that all French subjects should be set at liberty who were in confinement upon accusations of having committed political offences. The seventh article provided for the security of French subjects in the absence of the squadron, and placed them entirely under the protection of their own government. A French gentleman was to be established at Lisbon as Judge Conservator, who would be an agent of the French government, and whose duty it would be to watch over the liberty and safety of French subjects. Finally, the eighth article of the treaty confirmed the former convention, but upon the condition that the Portuguese government should make no military dispositions for the defence of the fortresses in the Tagus during the stay of the French fleet in those waters. If this convention were signed, then the French Admiral engaged to do that which he had engaged to do by the former convention—namely, to send the greater part of his fleet out of the Tagus. This convention had the signature of Admiral Roussin attached to it. Thus, then, he had given to their Lordships the contents of this convention. The noble Earl would not, he presumed, venture to question the authenticity of the convention; and if not, he thought that he had said sufficient to justify the statement which he and his noble friend had made on a former occasion, and to show to their Lordships, that that statement was not made without good authority. If, however, the noble Earl should venture to cast the least doubt upon the authenticity of the document which he held in his hand, he should be compelled to trespass further on the attention of the House; but at present he did not think it necessary to say more upon the subject. He had no disposition to make any other observations on this subject, and his only object in thus stating the purport of the convention to their Lordships was, to set himself and his noble friend right with the House, which, he was sure their Lordships would see, had become necessary from the circumstance of the accuracy of the statement which they had made having been impeached by the noble Earl opposite.

Earl *Grey* was not at all surprised that the noble Earl (Aberdeen), with the feeling he had expressed on this subject—with an authority which the noble Earl seemed inclined implicitly to rely upon, and wedded to a particular interpretation of certain acts of which the noble Earl disapproved—he was not, he said, at all surprised, that under these circumstances, the noble Earl should have been anxious to pursue a course which the noble Earl considered necessary in order to set himself and the noble Duke right with the House. He would state at once to the noble Earl and to their Lordships, that the contradiction which he had given to the statement in question, rested exclusively on the authority of the French government, which authority was communicated in a despatch—he would read a passage from it to their Lordships before he sat down, which had been received by his noble friend, the Secretary for Foreign Affairs, from our Ambassador at Paris. If he had understood the noble Earl rightly in what had fallen from the noble Earl on a former occasion, the noble Earl had said, that the French government were availing themselves of the power and conditions which resulted to them from their having a French squadron in the Tagus, for the purpose of procuring for themselves from Portugal certain commercial advantages, which could only be attained by France at the expense of this country. Now he would explain to their Lordships all that had been communicated to the Government on this subject. Two notes had been transmitted to the Foreign Secretary by Viscount Santarem, the object of which was, to procure the interference of this country in order to effect the restoration of certain vessels which had already been taken by the French, and to prevent the French Admiral carrying away with him those or any other vessels that had belonged to the Portuguese government. It was true that, in one of these notes, the Viscount had said, that the French Admiral was attempting to enter upon negotiations with the Portuguese government—*entamer des negociations*, was, he believed, the expression used by the Viscount. The Government, however, had received no intimation of such negotiations having been proposed, either from our Consul at Lisbon, or indeed from any other quarter, although, if the fact had been as the Viscount had stated it to be, it was natural to suppose that, if not from our Consul, at least from some of the many persons engaged in the Portuguese trade, the news of such negotiations would have transpired, and intimation of them have been transmitted to the British Government. Under these circumstances and these considerations, his Majesty's Ministers had not thought the communication which Viscount Santarem had made to them called for their interference, especially as, at the time that communication was made, the French squadron had left the Tagus. Besides, although this representation of the Viscount was made in order to procure the interference of this Government, for the double purpose of preventing the French Admiral taking away some vessels, and of inducing him to restore others, yet in that representation there was nothing stated which could lead the British Government to suppose, that the Portuguese government had in their own power the means of retaining the possession of those vessels. This, however, the British Government knew to be the fact. The French Admiral had stated to the Portuguese government, that he was willing, on his own responsibility, to restore these vessels, if the Portuguese government would release from custody 400 prisoners whom the French Admiral would name. The French Admiral did not propose that these 400 prisoners, all of whom he offered to name, should be set at liberty unconditionally; but that before their release they should engage, on their parole, not to take part in any hostile expedition which might be directed against the existing government of Portugal. Well, under these circumstances it was, that, not hearing any thing of such negotiations from our consul at Lisbon, nor from any of the British merchants engaged in the Portuguese trade, the British Government had not thought that so vague a statement as that which he had communicated to the House, either called for, or would justify, any interference on the part of this country. The noble Earl, however, now referred to a convention consisting of eight articles, one of which was avowedly directed towards a commercial treaty, which treaty the noble Earl told them had been prevented by the Portuguese government. It would surprise the noble Earl, he thought, and he was sure it ought to surprise the noble Earl, to learn that this was the first time that he (Earl Grey) had heard of such a convention, and of this anxiety on the part of the Portuguese government with regard to the commercial interests of this country. He was of course fully aware of the nature of the first convention, which consisted of fourteen articles.

Earl *Aberdeen:* Twenty.

Earl *Grey:* Perhaps the noble Earl would allow him to go on. He was fully aware, he said, as others might be (for it was published in the *Lisbon Gazette*) of the nature of the first convention, which consisted of fourteen articles, and to which were attached six additional articles, making in all twenty; but the six additional articles contained nothing of importance. He had stated to their Lordships, that the contradiction which he had given to the statement of the noble Earl rested exclusively on the authority of the French government, and he had promised to read to their Lordships the passage from the despatch which conveyed to the Government the authority upon which he had made the contradiction of which the noble Earl complained. The despatch was from Lord Granville; it was dated the 9th of September, 1831, and was addressed to Viscount Palmerston. It ran thus:—

> "My Lord,—Count Sebastiani expressed to me this morning, his surprise at the assertion which has been made in the British Parliament and elsewhere, that the French government, taking advantage of their naval force in the Tagus, had endeavoured to make a commercial treaty with Portugal. Count Sebastiani authorizes me to state to you that Admiral Roussin entered into no commercial negotiation whatever with Portugal."

Now, this was the authority on which he had contradicted the statement of the noble Earl, and in making that contradiction he had certainly added an expression of confidence in the honour and good faith of Count Sebastiani and the French government. He begged to assure the noble Earl, that he was far from being disposed at this moment to withdraw that confidence, or to retract the opinion which he then expressed. The noble Earl had stated the grounds on which he had been induced to make the assertion in question, and to which he (Earl Grey) had now offered a contradiction, and had, on his part, stated the authority upon which he rested that contradiction. On which side the truth was, remained to be proved; but, in the mean time, he begged the noble Earl and the House distinctly to understand, that he had not the slightest doubt of the accuracy of the statement made by Count Sebastiani, and that, notwithstanding what had fallen from the noble Earl, he did not harbour the least suspicion of the honour and good faith of the French government.

The Duke of *Wellington* said, that when he spoke on this subject a fortnight ago, he had seen the papers which were in the hands of his noble friend (the Earl of Aberdeen.) From the perusal of these papers it was, that he had said that he was fully convinced that the French Admiral had proposed, by a commercial treaty with Portugal, to place France upon the same footing as the most favoured nation, that was to say, as England—with regard to commerce. He had moreover stated, upon the same authority, that the Portuguese government had resisted this proposal, and that the result of this resistance was, that the convention had not been of such a nature as the French expected and desired. Now, the noble Earl admitted that he had no knowledge of these circumstances when the former debate took place, and also, that the information he possessed on this subject had been received by him since that time. In spite, however, of the information which the noble Earl, had subsequently received, he must repeat, that he was authorized by those documents to say what he had said, and that he adhered to his former assertion. But let him ask the noble Earl how it had happened that our Consul-general at Lisbon—the Consul-general upon whom the noble Earl the other night had passed so eloquent an eulogium—had not, even in September, given the noble Earl information of a negotiation which had been concluded in July? If the noble Earl should think, that he had no reason to complain of this, the noble Earl must at least be struck by the remarkable proof which the circumstance afforded of the total want of confidence of the Portuguese government in our Consul-general. This want of confidence must, to say the least of it, be highly detrimental to British interests in Portugal; and he did think, that for that reason, if no other, the noble Earl ought to inquire carefully into the conduct of that individual, in order to ascertain if there were not some reason for this unfortunate government—for unfortunate he must call it —refusing to place the least confidence in the Consul-general of this country. Government had, it appeared, sent out two ships of war to Portugal; for what purpose he would not inquire. If this were done to give protection to his Majesty's subjects, he could have no objection to it. But he hoped that that protection would be called for on a better foundation than was set forth in published letters with respect to supposed rights and privileges. He did not understand why protection should be given for acts which were against the laws of the country into which those individuals had been received. He admitted that his Majesty's subjects in Portugal had a right to certain privileges, but he denied that there was any privilege by which British subjects in the country of an ally could claim protection if they committed acts contrary to the laws of that country. For his own part, he feared that all the measures which had recently been adopted with reference to Portugal would end in a civil war in Portugal and Spain. He felt very anxious on this subject; and viewing all the circumstances as he did, he was desirous that his Majesty's Government should give a proper check to the Consul-general at Lisbon; and that they should let his Majesty's subjects in Portugal know, that they had no right to seek protection, if they acted in defiance of the law of the country, or if they attempted to disturb the public peace. He would, without hesitation, declare, that if Government proceeded in this way, the lives of none of his Majesty's subjects in Portugal would be safe. He had expressed his sentiments thus freely, because he was anxious to preserve the interests both of Portugal and of this country.

Lord *Holland* said, that his noble friend was perfectly justified in the statement which he had made on a former occasion. His noble friend had received so clear, so direct, so decided a contradiction from the French minister, of the assertion made by the noble Earl, that he could not, in common justice, have acted otherwise than he had done. When the noble Earl, relying probably on public papers and private letters, commented on the negotiation and convention between France and Portugal, surely it was incumbent on the head of the Government of this country to declare, that looking to the official information, he had no reason to believe that the observations of the noble Earl were well founded. Perhaps the noble Lords over-the-way would permit him to imitate the conduct which they pursued in the new province that they had undertaken, and, instead of answering all their interrogatories, would allow him to put a question to them. He certainly had the same reason and the same right to put a question to them as they had to press many questions on the Government. Those noble Lords had talked very loudly about their authority: they had stated to the House, that they had undoubted authority for all that they asserted. Now, he was perfectly convinced, that the noble Duke and the noble Earl were quite incapable of stating in that House, as a fact, that which they did not believe to be a fact; but one thing they had not stated, and that was, on what authority they had described the French convention with Portugal as they had done. The noble Earl laughed, but that laugh did not afford sufficient proof that the question which he had put was not a fit and proper one. It had been alleged, that the Consul at Lisbon had behaved improperly; an attack had been made on that honourable, and able, and vigilant gentleman; the noble Lords opposite took it for granted, that an obnoxious convention had been signed, that the propositions made by the French Admiral were generally known, although no information on the subject had been transmitted to this country, and that our Consul had grossly neglected his duty, or had totally lost the confidence of the Portuguese government. Now, surely, when this was made a matter of charge against a gentleman who was abroad, he had a right to ask on what ground that charge rested? If it were demanded of Ministers whether they had any authority for giving credit to this accusation, they must at once say that they had none. So far, therefore, they were at issue with the noble Lords opposite on the question of fact. There could, he presumed, be no doubt, that on this, or on any other subject, no noble Lord would assert that which he did not firmly believe. The question, then, in its present stage, must be argued with reference to probabilities. Now, looking at the subject in that point of view, he could not conceive why the convention should have been postponed by the French Admiral for eight or ten days, supposing that it was meant to operate against the English Government, instead of being pressed forward with all possible haste. But it appeared that the noble Earl over-the-way had been employed for the last three years in search of the virtues of Don Miguel. He believed, that the noble Earl had not had much sport in the course of his search, and had started very little game. But at length he had discovered the mighty secret. He had found that Don Miguel, however, ill treated, remained true to the English interest; that "though deserted in his utmost need" by the English Government, he remained firm to his engagements, and rejected a certain portion of the convention. Now he would try this assertion by the standard of probability, and he would ask, which was the more probable, that such a fact, if it had existence, did not reach the English Government, or that the noble Lords were misinformed on the subject? Let it be remembered, that at the commencement of this Session of Parliament, the noble Earl began by stating facts, as they were called, with respect to the conduct of this Government, in circumstances connected with Lisbon and Terceira, which did not deserve in either instance the description that he had given of them. The noble Earl stated, that this Government had refused the use of British chartered vessels to Don Miguel at Lisbon. Now what was the fact in this instance? Why, there was felt on the part of the commander there, a doubt on the subject. He was not certain whether he would be authorised to accede to the request which had been made; and he sent home to this country, without delay, to procure the necessary information. Not an hour was lost in having the law on the subject explained, and when it was explained, as little time was lost in allowing the vessels to go out, being legally employed by the Government. But then the noble Earl had further stated, that at Terceira a very different measure was adopted. There, the noble Earl asserted, this Government had submitted to outrages the most unexampled—to acts that were decidedly opposed to the law of nations, against which they had made no representation, they had offered no remonstrance. The whole of this matter would be placed before their Lordships, with the regular documents, in the course of a few days, and therefore he should not dwell at any length upon it. But what was the fact in this case? Why, it was found, that an irregularity had been committed, with reference to certain British vessels; and the moment that that irregularity was known, measures were taken to obtain satisfaction for it. No later than the 5th of last month, the noble Earl had, from his place opposite, told them, that the people of the Azores were hostile to the new Government. The noble Earl and his friends, who were not in general friendly to popular feeling—who, above all things, seemed to dread democracy—appealed notwithstanding to popular feeling when it suited their purpose. In this particular instance, however, all that they had said about popular feeling in the Azores had been completely disproved. On the 5th of August the noble Earl said, that the people of Terceira he believed, but the people of the other islands he positively knew, were in favour of Don Miguel, and were opposed to the military commission or regency which had been established. Now, every thing that had since occurred proved, that this statement was entirely at variance with the fact. Not only did Terceira remain firm to the new order of things, but an expedition fitted out from that place had captured the Island of St. Michael. After the noble Earl had made the statement to which he had alluded, it was ascertained from an officer commanding one of his Majesty's ships—than whom a more gallant or more experienced officer did not exist—who had recently left the Azores, that a small body of troops sent from Terceira, without artillery, had taken the populous island of St. Michael's. They, with the assistance, be it observed, of the people of the island, captured the artillery of the enemy, and seized on their fortified camp. The gallant commander to whom he had alluded felt himself called upon to bear testimony to the skill, gallantry, and courage of those who had achieved this conquest; and he was not less pleased with their conduct after the victory, the characteristics of which were mercy and humanity. In all that he had thus said, he only meant to have it understood, that the noble Earl might have been misinformed, that he might have been mistaken. He should now touch upon the circumstance of the sailing of the French fleet for the Tagus. When that event took place, they were told, with many grave looks, nods, winks, and cheers, that the fleet had not sailed for the purpose of accomplishing an accommodation with Portugal; and they were pretty plainly told, that they would soon find, that France had other and very different objects in view [*Hear, hear*]. The noble Earl cried " Hear, hear." Now he should be glad to know, what other object, what other views the conduct of the French had since manifested? It was said, " Oh, they are sending a fleet out for the purpose of revolutionizing Portugal." Well, they proceeded to Portugal—they remained for a fortnight or three weeks in the Tagus; and yet there was no oppressive exaction—there was no attempt at revolution. The French went away, and left Don Miguel to himself. Now, said the noble Earl, you shall see how closely the people will rally round their adopted monarch. But what occurred immediately after the departure of the French? Why, a mutiny took place, with which the French were wholly unconnected. This proved two facts—first, that there did exist strong disaffection in Portugal; and secondly, that the French had nothing to do with the excitement of that feeling. The information which some parties in this country received from Portugal was really amusing. He supposed it gave as much pleasure to them, as the rumour which reached Don Miguel gave to him, when he heard that the Reform Bill was to be thrown out, and that the present Government were likely to be dismissed from office. It certainly appeared that a sweet intercourse was kept up between some individuals in this country and the court of Don Miguel. They could waft sighs and hopes alternately from the Tagus to the Thames, and from the Thames to the Tagus; but the statements which had been made in that House, and which had been repeatedly controverted, proved how little dependence was to be placed on the facts which were elicited by that species of communication. With respect to the convention alluded to by the noble Earl, he knew nothing. The Convention of the 14th of July contained fourteen Articles which had been published, besides six which were not published, and it was just possible, that those six might have been reduced into four. Nothing which had transpired, however, proved that these Articles, whether six, four, or eight, differed from the other Convention.

The Earl of *Aberdeen* did not think, that the noble Lord who had just sat down, could lay his hand upon his heart, and say that the objects of the French government, in their conduct towards Portugal, were not such as he had stated them to be. Indeed the noble Lord seemed to be speaking of what he really knew nothing about. He thought, that the noble Lord might at least have hesitated before he gave currency to a contradiction of what he and his noble friend near him (the Duke of Wellington) had stated, unless his purpose was merely to amuse himself and the House. But if the noble Lord was really sincere in the opinions which he had stated, he held in his hand the *Lisbon Gazette*, in which the articles of the Convention were published, in compliance with the first article; and he could satisfy the noble Lord, from that paper, of the facts which he seemed to doubt. But he should not dwell further on the subject, because he himself was fully satisfied of the accuracy of his own statements. In his opinion it was the duty of every Member of Parliament to inform himself, as well as he could, of every transaction with a foreign government, so far as the honour and interest of his country were concerned. And having done so, he thought it was proper to lay his information before the Legislature, and thus to enable the Government to make what use of it they might think fit. He had pursued this course, and he thus gave the noble Earl an opportunity of taking such steps as he might deem expedient. As to what had fallen from the noble Baron opposite, he would only say, that till he could rail the seal from those official documents, it would not alter the case. With respect to his (Lord Aberdeen's) assertion, as to the refusal to allow two British ships to convey information to Portuguese vessels coming into

Lisbon, that a French force was stationed in that part, he would explain and defend it. He had said, when he learned that British shipping were employed against the Azores by the government of Terceira, that a different conduct had been pursued at Lisbon; for that the British Consul there (not the British Government) had detained British vessels, and prevented them from giving notice to ships homeward bound to Lisbon, having British property on board, that a French force was in the harbour. That, he maintained, was true to the letter. The British Consul had so acted. He did not, and he never could believe, that the British Government had sanctioned any such proceeding. But what happened in consequence of the conduct of the British Consul? Why, the French fleet captured many vessels; and if the British Consul had not detained those ships, the vessels thus taken must have escaped, The most serious inconvenience resulted from that proceeding. He complained of that, knowing, as he did, that very unpleasant consequences were produced by it; and he must still contend, notwithstanding the observation of the noble Baron, that the statement he made was perfectly correct. The noble Lord had animadverted on an observation formerly made by him, when he said, that the French fleet had proceeded to the Tagus with a different view from that of mere restitution. That undoubtedly was his opinion then, and he would add, that it was his opinion still. He believed that individuals expected very great events in that country after the arrival of the French fleet. Indeed, the British Consul at Lisbon had such expectations, and expressed his hopes and feelings very strongly on that subject. "But," said the noble Lord, "after the departure of the French, a mutiny, a disturbance took place, whereas none occurred while they were in the Tagus." Certainly an attempt at a rising, a sort of mutiny, had occurred, but he must say, that the foundation on which the noble Lord had rested this part of his argument confirmed every sentiment that he (Lord Aberdeen) had ever put forth on this subject. The insurgents, on the occasion referred to, were joined by no one, and they did not amount to more than 300. Both the civil and the military force opposed them, and therefore he had a right to state what he had formerly done with respect to the foundation on which the Portugusee government stood. He had no personal object or interest in making those statements. He acted on information which had been communicated to him, and on which he thought he could rely, and his decided belief was, that if Portugal were left to itself, the present Government of that country would be as firmly established as that of any nation in Europe. Of this he was sure, that much misery must ensue, and that much wretchedness must be produced, if, in consequence of a supply of money from this country, civil war were introduced into Portugal. It would, he was convinced, be found a task of extreme difficulty to overturn that government, whether it were attempted by foreign or domestic means. He merely wished to set himself right on these points; and, admitting that the subject was one of extreme difficulty, he should not pursue it further.

Earl *Grey* said, it must appear evident to their Lordships, that extreme inconvenience resulted from the introduction of such discussions as the present. He should say nothing whatsoever with respect to the strength or weakness of the Portuguese government; but when the noble Earl alluded to money furnished from England for the purpose of inciting revolt in Portugal, he wished to know whether the noble Earl meant to say, that the Government of this country had concurred in any such proceeding? [The Earl of *Aberdeen:* "No."] He was very glad to hear the noble Earl say "no," because, if the expression were not explained by the noble Earl, a false and improper inference might be drawn from it. It now appeared, however, that the Government stood acquitted by the noble Earl of having sanctioned or acquiesced in any such proceeding; and he could most positively state, that there was not any foundation for an insinuation of that nature. Whether money had been at all furnished or not, he could not take on himself to say. He certainly had no reason to believe that money had been furnished for the purpose alluded to; but, on the contrary, he had every reason to doubt that there was any foundation for supposing that money had been so applied. The noble Earl, addressing him, had said, "that, seeing what he (Earl Grey) had seen, and knowing what he had known, he was astonished that he should have placed such confidence in the representations of the French government." Now he would repeat, after having seen what he had seen—after having known what he had known—after having obtained all the information which it was in his power to accumulate, that he was inclined to adhere to the opinion which he had formerly expressed; and not having, in the course of these transactions, seen any reason to doubt the good faith of the French government, he considered himself justified in giving credit to the despatch of the French minister. The noble Earl was surprised that he should adhere to the contradiction contained in that despatch, in opposition to a statement made by the noble Earl and the noble Duke near him. If the statement made had been founded on their own knowledge, he certainly should be extremely cautious in entertaining a doubt on the subject. But the noble Earl himself had admitted, that the statement did not rest on his own knowledge, but that it was derived from the information of others, on which he had every reason to rely, at the same time that he declined stating by whom that information was furnished. Now he was certain, and he thought that the noble Earl would not deny the fact, that the information in question must, in the nature of things, have been received from the Portuguese government, who were, of course, interested in giving the best representation they could to any circumstances affecting the character of that government. The noble Earl might have derived his information from very honourable persons, but it was very natural that they should be biassed; and whatever came from them must therefore be taken with certain grains of allowance. He (Earl Grey) had no other knowledge on the subject beyond what he had already stated. The noble Earl had alluded to the *Lisbon Gazette*. The fact was, that some incorrect statements having appeared on the subject of the negotiation in certain unofficial Portuguese papers, the French insisted that the errors should be corrected in the *Lisbon Gazette*, which was complied with; and no such article as the noble Earl alluded to, was to be found in that publication. The actual carrying on of the negotiation for special commercial advantages rested on the statement of the noble Earl, founded on the representations of others. Certainly, that statement was brought forward under circumstances that were subject to some suspicion; and it was denied by the French minister, in expressions as strong as language could possibly furnish, that any such transaction had ever taken place. There the matter ended. He did not blame the noble Earl for the paucity of his information; but he would only say, that if individuals furnished noble Lords with materials of this kind on which to found attacks upon the Government, they must not be surprised if such proceedings were strenuously opposed—they must not be astonished if they did not produce all the effect that was intended. The noble Duke had said, that the British Consul was highly to blame, in not having apprised the Government of what he knew. If the British Consul were in possession of such knowledge as it was alleged that he was master of, and did not communicate it to Ministers, then certainly his conduct would have been highly blameable. But from all the experience he had of that gentleman, as well as from a careful review of the whole case, he believed it would be found that the Consul was not in fault; in addition to which they had the express denial of the French government on the subject. The noble Duke said, he would not enter into any observations as to the motives and objects of the conduct which the Government had pursued. He would not put any questions to Ministers as to their object in sending out these vessels, and he expressed a hope that they were not despatched for the purpose of interfering with the Portuguese government. Ministers had no such intention. They had adhered to that line of conduct, the propriety of which the noble Duke had himself admitted. All that he could say on that part of the subject was, that whatever might be the duty of Ministers, with reference to the protection of British subjects, they felt that they had no right, and certainly they had no inclination, to interfere with the law or government of Portugal. In conclusion, the noble Earl repeated, that the contradiction which he had put forth on a former evening rested on the decided assurance of the French minister, which he saw no reason for doubting.

The Earl of *Aberdeen* begged to inform the noble Earl, the matter referred to was not a question of negotiation; the convention was concluded. He found no fault with the conduct of the noble Earl, he acted from the information he had received. At the same time he must assert, that the authority of his information could not be doubted, for it rested on that of the convention itself. In ordinary times, if the French government attempted to impose injurious conditions upon Portugal, the British Consul would, of course, be the first person to be applied to by the latter Government, and to be informed of its difficulty. But, considering the situation in which Mr. Hoppner had placed himself, and his close connection with the French Admiral—a connection very unusual for a British Consul—it might be expected that he would be the last person to whom the Portuguese government would apply.

Lord *Holland* suggested, that the discussion should be suspended until the necessary documents were before the House.

Here the matter terminated.

GAME BILL.] The Duke of *Richmond* said, he rose to move the commitment of a Bill having for its object a very extensive alteration in the Game-laws, which had recently passed the other House. After the many discussions which had taken place on this subject, both beyond and within those walls, he did not think, that it was necessary to detain their Lordships with many observations on the measure. He considered the Game-laws as they stood at present to be most unreasonable, unjust, arbitrary, and oppressive. They were bad in principle, and produced the most demoralizing effects. The first and greatest defect of those laws was, that the Legislature prevented the buying or selling of game, a principle which could not be supported either by the law of humanity or of nature. If those laws were bad in principle, they were worse in practice; because being unjust and oppressive, they were constantly violated, and the consequence was, that a general contempt for the laws of the realm was fostered and encouraged. The first object of the present measure was, to make that innocent in the eye of the law which was innocent in the eye of reason; and with that view it was proposed to do away all the enactments that prevented the sale of game, and to suffer it to be vended, subject only to such restrictions as appeared absolutely necessary. The second great defect of this code was, the unjust and oppressive character of the law of qualification. A person possessed of lands or tenements to the amount of 100,000*l.* a year, might be so situated as not to be qualified to kill game, while his son and heir enjoyed that privilege. The law was here, as in almost every other part, extremely unjust and oppressive; and, like all bad laws, they were inefficient to accomplish the purpose for which they were enacted. The system was also attended with this baneful consequence—it increased and heightened the feuds between the higher, the middle, and the lower classes. By the 22nd and 23rd of Charles 2nd, a penalty of 5*l.*, or imprisonment for three months, was inflicted on any unqualified person for shooting at a hare or partridge. When an unfortunate labourer committed this offence, what was the consequence? He could not pay the fine; he was incarcerated, and his wife and children were cast upon the parish. What must be the feelings of that man, when he saw a neighbouring gentleman allow his younger sons and his friends to do that, they having no right to do it, for which he was punished? He might be told that a poacher was a very worthless and bad character. He did not stand up there to defend poachers, but to deprecate the law which impelled individuals to become poachers. The labourer knew, that legally he could not kill game, though it fed on his property; but he knew, also, that thousands in this capital would have game at their tables, and he felt that, by some means or other, the market must be supplied. The result was, that he became a poacher, and thus the laws gave to the poacher the monopoly of selling game. The labourer could not stand the temptation; it was too much for him. He violated the law, and after the first fatal step, he was too often hurried on, in his career of guilt and crime, till he finished a life of infamy on the scaffold, the victim of strong temptation. Would their Lordships believe, that in three years, from 1827 to 1830, 8,502 persons were, according to a document laid before the House of Commons, convicted of offences against the Game-laws in England and Wales, many of those individuals being under eighteen years of age? Some of these persons were transported for life, and some for seven or fourteen years. It appeared from the same document, that one-seventh of the whole criminal convictions in England and Wales, during the period to which he had referred, were on account of infractions of the Game-laws. Surely it was high time to make an effectual alteration in a code of laws which produced every species of misery. He would not now enter into the details of this measure, it would be better to defer that to a future stage of the Bill. He would only state, that the principle of the Bill was in perfect accordance with the principle of the British Constitution. He concluded by moving, that the House do resolve itself into a Committee on the Bill.

The Duke of *Wellington* said, that he had invariably opposed bills of this nature, not because he approved of the existing laws, but because no bill which had ever been brought forward, not even the present, would effect the object which the noble Duke and others professed to have in view. By the Bill now before their Lordships, game was considered as property. This was a new principle. Heretofore, the right to kill game only had been treated as property. He thought that when their Lordships came to consider the Bill in Committee, they would be of opinion that it would not prevent the evils which had been complained of. The subject of complaint was the breach of the law; but the law would be broken as frequently after the Bill passed as it was now. The present Bill afforded greater facilities for the sale of game than any of the bills which had been rejected by their Lordships on former occasions. The killing of game formed the chief amusement of country gentlemen. It caused a large expenditure of money in the country, and afforded employment to thousands of people. This expenditure of money and employment of people would cease when gentlemen were deprived of the exclusive right of killing game, which they had possessed in this country for nearly 500 years. It was worthy of observation that in every country of Europe, except France, the gentry possessed the exclusive right of pursuing game. There was one defect in the enactment of the Bill before their Lordships, to which he begged to call the attention of the noble Duke. The Bill inflicted a penalty for trespass only. Now, if a tenant holding land on which the right of sporting had been reserved to the landlord, should kill game on that land, he did not see how he could be punished, because it was clear that the penalty could not be inflicted for trespass, for he had the right to go on the land. This was a point which required consideration.

The Duke of *Richmond* said, that the clause to which the noble Duke referred should be altered.

The Duke of *Wellington* resumed, and observed, that the Bill, if passed into a law, would come into operation at a most inconvenient time—namely, on the 20th of October, just in the middle of the shooting season.

Lord *Wharncliffe* said, that having frequently brought the subject of the Game-laws under the attention of Parliament, both in that and the other House, he was glad that the necessity of some alteration was at length generally acknowledged. The measure before the House, if it would not remove all the evils of the present system, would at least go a great way to remedy them. As long as there was property to be plundered, there would also be thieves; and as long as there was game there would be poachers. All that the Legislature could do was, to put the laws on such a footing, that there could be no suspicion of injustice, of partiality, or of monopoly on the part of the legislators; but he was desirous to see the law placed on such a reasonable footing as would remove all complaints of injustice and monopoly. The laws were now cruel and oppressive, because they operated partially, and for the benefit of one class of the community only. Although he was friendly to the Bill upon the whole, he did not approve of every part of it. He thought it proceeded upon a wrong principle in the first instance, in declaring that game belonged, not to the owner of the soil, but to the tenant holding the soil, except in cases of reservation. He thought, that the person who drew the Bill could not have been aware that the effect of this enactment would be, that for some time to come the landlords of nine-tenths of the soil would not possess the least power over game. The custom, which had originated, perhaps, in a feeling of feudal respect for the landlord, and by which he was now always allowed to sport over his tenant's land, would be destroyed by this Bill. Then, what was the punishment to the tenant, if he trespassed? He was fined; but he could not trespass on his own land. He was glad to hear, that the noble Duke would not oppose any reasonable alterations when the Bill should be in Committee. The noble Duke should have his hearty concurrence in endeavouring to place the law on a proper footing.

The Earl of *Westmorland* was opposed to the Bill—not because he thought the present law good, but because he thought the Bill now introduced would make the matter worse. A noble Lord, on presenting a petition from a Political Union, had told them the other night, that that House should take care of its character. He thought it would be almost entirely lost if this Bill was passed; for, of all the acts of oppression of which he had heard, this was the worst. The principle of the Bill was, to abolish all distinctions; but, by the way in which it was framed, the gentlemen of the Political Union would be prevented from enjoying the sport, as well as the first Duke in the land. It might be imagined, that after the Bill passed any man might take his gun and shoot game wherever he found it. No such thing. In the first place, he must pay a pretty heavy duty for a license. Then, if he should put his foot on another man's land, he might be imprisoned for twenty-four hours, and afterwards fined two guineas. The people would not be much obliged to their Lordships for passing such a law as this. The general object of the Bill was, to abolish all ancient practice, and destroy the influence of the gentry throughout the country. He thought also, that it would operate to the advantage of large landed proprietors, and to the prejudice of small ones. For these reasons he would oppose the Bill.

Lord *Suffield* thought this Bill a great benefit; as, by making game property, it would make the people understand what they could not comprehend under the present laws—that the illegal taking of game was a crime. He, therefore, gave his most hearty thanks to the Government for introducing the measure. Those statutes which noble Lords spoke of as qualifying, were, in fact, disqualifying statutes; for, before they were passed, every man was entitled to shoot game. The present laws, however, were a dead letter, because they did not receive the support of public opinion. The right of sporting might now be a matter of agreement between landlords and tenants, and both would be equally protected. He should heartily support the Bill.

Lord *Tenterden* said, the present Game-laws were so bad, that he should be willing to support almost any Bill that went to alter them.

The Earl of *Carnarvon* said, he objected to some of the details of this Bill, though he should approve of it if it was likely to identify, with respect to game, the legal and the moral offence. He should not oppose the Bill going *pro forma* through the Committee.

Lord *Eldon* would not discuss the Bill till it had been considered in Committee, after which he should be prepared to give his opinion upon it.

The Duke of *Richmond* observed, that as the law now stood, it was constantly violated, for there were many persons in the highest ranks of life who were not by law qualified to shoot game. Foreign Ambassadors were not; nor were many Irish and Scotch Peers qualified as to England; Peers' second sons were also unqualified, and yet all these persons were in the daily habit of violating the law: the consequence of which was, that offences against the Game-laws were no where considered as crimes. He liked the trespass clause best of all in the Bill, for he thought that a man ought to be the acknowledged owner of his own land, so that he committed no nuisance upon his neighbour's.

The Bill went through a Committee—to be re-committed.

SPRING GUNS.] On the motion of Viscount Melbourne, the House resolved into Committee on the Spring Guns Bill.

The Earl of *Carnarvon* observed, that according to the provisions of the Bill, no occupier of land could set spring guns in those places which were specified in the Bill, without having first obtained the license of two Magistrates at Quarter Sessions. He thought that such a regulation was likely to be productive of much inconvenience. It was well known, that the time of Magistrates assembled at Quarter Sessions was very much occupied in deciding on the claims of paupers, and he feared that the application of a farmer, at such a moment, for liberty to set spring-guns, might suggest to those paupers, who might be in a state of excitement, the very crime which it was the object of the Bill to prevent. He therefore suggested, whether it would not be preferable to allow farmers to set spring guns on the authority of one Magistrate.

The *Lord Chancellor* said, that his first impression was, that the license of Magistrates for setting spring guns was wholly unnecessary, but he understood that great objections were entertained by certain parties whose opinions deserved consideration, to allow the setting of spring guns without such controlling power in order to prevent the rash and improper setting of those destructive machines. He however thought, that if a license was considered necessary, it might as well be granted by one Magistrate as by two; and, on the other hand, should the authority of a Magistrate not be thought requisite at all, he was of opinion that the operation of the Bill should not extend over the whole country, but should be limited to those districts where that species of crime which it was the purpose of the Bill to check was prevalent.

Lord *Suffield* would give his support to the clause as it stood, to place the power of licensing the setting of spring guns in the hands of two Magistrates. He was anxious that every application for leave to lay down those horrid instruments of destruction should be attended with as much publicity and formality as possible.

The *Lord Chancellor* said, that there was this evil attending the publicity of these applications—that the parties who meditated the commission of the crime sought to be guarded against, were made aware of what property was protected, and what was not, by spring guns; and they would naturally attack those places where they were exposed to the least danger. He thought that it would be better to leave it doubtful whether every spot in the specified districts was not protected by spring-guns.

An Amendment empowering one Magistrate to grant a license for the setting of spring guns, was adopted—House resumed.

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HOUSE OF COMMONS,
Monday, September 19, 1831.

MINUTES.] New Writ ordered. For Malton, in the room of WILLIAM CAVENDISH, Esq., who had accepted the Chiltern Hundreds.

Bills. Read a third time. The Administration of Justice (Ireland); Surplus Ways and Means.

Returns ordered. On the Motion of Mr. SPRING RICE, all Silks imported and Exported during the year 1830, with the Drawbacks for Exportation, the quantity used for Home consumption, &c. &c.

Petitions presented. By Mr. THROCKMORTON, from the Inhabitants of the Vale of Berks, for the Reduction of the Duty on Fire Insurances. By Mr. WESTERN, from his Constituents in the neighbourhood of Chelmsford; from Braintree, Witham, and Rochford, against the use of Molasses in Distilleries. By Mr. O'CONNELL, from Longford, against the Kildare-street Society; from Stradbally, that the Yeomanry of Ireland should be disarmed, and from the Millers of Ireland, against the Irish Embankment Bill. By Mr. HUME, from the Parish of Eye, in Suffolk, for an inquiry into the case of the Deacles; from the Retail Beer-sellers and other Inhabitants of Macclesfield, against further restraints on the sale of Beer, and from Individuals in Paddington. By Mr. WILBRAHAM, from Northwich, Cheshire, against any alteration in the Beer Bill. By Colonel PEEL, from the Mayor and Burgesses of Huntingdon, to retain the right of sending two Members to Parliament.

DONERAIL—CASE OF JOHN LEARY.] Mr. *O'Connell* presented a Petition from eight individuals, the children of John Leary, who had been convicted of felony at the Special Commission in Cork, and transported for the offence, praying that Government would take the circumstances of his case into consideration, with a view to the remission of his sentence. The learned Gentleman said, that Leary had been convicted on evidence on which four others, who were accused of being his accomplices, had been subsequently acquitted; and he was convicted of a most atrocious crime, of which if he had been really guilty, he would have been hanged. His having been transported was a proof of his innocence, and he therefore hoped, that his Majesty's Government would attend to the prayer of this petition.

Mr. *Callaghan* said, he could bear witness to the correctness of the prayer of the petition. It was the general opinion in Ireland that Leary had been improperly convicted; and the fact of a Judge having remonstrated against his punishment, and of Government having commuted his punishment gave countenance to this opinion.

Petition to be printed.

CASE OF THE DEACLES.] Mr. O'Connell presented Petitions from Wolverhampton, from Wingham in Kent, and from Morpeth, praying for an investigation into the case of the Deacles.

Sir *George Rose* said, it was important, that this question should be set at rest, both to vindicate the character of the persons accused, and the honour of the Magistracy at large.

Colonel *Evans* said, that he should have to present a petition from Manchester on the same subject in a few days. He would take that opportunity to say, in reply to the taunts which had been thrown out against him for not bringing this case sooner under the consideration of the

House, that the delay was solely attributable to his having understood that legal proceedings in this matter were at present pending. He trusted, that when he should present the petition in question, some Gentleman would be then in the House who would be able to state whether legal proceedings were likely to be taken in this case, as in the event of no such proceedings being about to be taken, he should be prepared to bring the matter at once under the consideration of the House.

The Petitions to lie on the Table.

Mr. Wilks presented a similar Petition from Boston.

Mr. *Baring* said, that he had but just entered the House, and he begged to take the opportunity to occupy the time of the House for a few moments in reference to this matter. He understood that, in his absence, petitions had been presented on this subject this evening, of the presentation of which petitions no notice had been given to him, nor, he believed, to those connected with him, whose characters were implicated in this transaction. He was happy, therefore, that the accident of this petition being now presented afforded him an opportunity to say a few words on the matter to which that petition referred. He was not surprised, after the pains which had been taken by the daily Press of this metropolis to circulate the most abominable lies and calumnies on this subject, which not only he could prove to be falsehoods, but which had been proved to be so by the petition subsequently presented to that House by the Deacles themselves—he was not surprised, he repeated, after such pains had been taken by the Press to misrepresent this matter, and after such abominable falsehoods had been circulated by it through the kingdom—that the indignation of persons living at a distance, and who did not know the character of the daily press of the metropolis, should have been excited with regard to this case, and that they should have taken for granted all that had been asserted by that Press. In justice to the persons accused, and who had been made the objects of so much slander, he begged to say, that they were most desirous that the fullest and most rigorous investigation should be instituted into their conduct. If the statements which had been circulated with regard to the conduct of those gentlemen were founded in fact, instead of being, as they were, notoriously false, the individuals whom they affected, would not only not be fit to fill the situation of Magistrates in this country, but would not be fit to shew their faces in the society of gentlemen or honest men. He understood that, in the course of the discussion which took place on this subject on Friday, several Gentlemen said, that legal proceedings were in progress, and that it would be unfair towards both parties for the House, *pendente lite,* to take any steps in the matter. When the question was first brought forward, the parties with whom he was connected put the case before their legal advisers, to see whether legal proceedings could be taken, and it had been up to the latest moment under their consideration. Under such circumstances, he had been unable to state, that a positive determination had been come to to take legal proceedings in this matter, but he could now state, that undoubtedly they had arrived at an opposite conclusion that morning, and that no legal proceedings would be instituted. He had no hesitation in making that statement now, in order that if any Gentleman should wish to bring forward any motion on the subject, the idea that legal proceedings were pending should no longer stand in the way of his doing so. The public papers, especially *The Times*, had published the most scandalous falsehoods in reference to this case—falsehoods which had been exposed even in the petition of the Deacles themselves, in which many of the facts published in the newspapers had been completely disproved, and his friends were therefore most anxious that the whole matter should be subjected to a thorough investigation. Legal proceedings would have been adopted, but that there were technical objections against any mode of legal proceeding which could be adopted in reference to the Deacles; and with regard to the writers in the daily papers, it so happened, that either from their having a lawyer always at their elbows, or from their possessing themselves of some knowledge of the law, they generally kept clear of libel, so that no proceedings could be taken against them. All he would say was, that the parties with whom he was connected, and who were implicated in this transaction would be most ready to consent to any inquiry which the hon. member for Kerry, or the hon. member for Rye, might propose, now that the institution of legal proceedings did not stand in the way of their doing so. He hoped that the House would do justice to both parties, by appointing a Committee to inquire into this case. If a motion for the appointment of such a Committee should be brought forward, he begged to say, on the part of those with whom he was connected, that they would be most ready to second such a motion.

Mr. *O'Connell* said, that he had given notice to the parties concerned of the petitions which he had that evening presented. These petitions had been spontaneously sent to him, and they were not of his seeking. If, however, now that legal proceedings were abandoned, any further petitions of this description should be forwarded to him, he would certainly then move, if no one else did, for that inquiry, for the institution of which the hon member for Thetford had expressed such a creditable anxiety.

Mr. *Hume* said, that he had also given notice to the hon. member for Portsmouth of the petition which he had presented that evening on this subject. It was absolutely necessary that an inquiry should now take place, and the hon. member for Thetford was quite right in urging that such an inquiry be at once instituted.

Mr. *Hunt* hoped, that the case would not be taken out of the hands of the hon. member for Rye (Colonel Evans) to whom the petitioners had, in the first instance, intrusted their petition. The public would not be satisfied without a full inquiry into the matter.

Mr. *Vernon Smith* hoped, that no further discussions would take place on this subject until it had been fully investigated by the House, particularly after the call which the hon. member for Thetford had so promptly answered.

Sir *Thomas Baring* said, that the parties with whom he was connected were most anxious for inquiry; and he had no doubt the result would turn out to their honour and advantage. He begged to join, in urging that the hon. member for Rye would lose no time in calling for inquiry.

Mr. *Wilks* hoped that a Committee would be appointed to investigate the subject. He should have been ashamed of his countrymen, if, on hearing of such an outrage, they had not endeavoured to correct it. He felt great satisfaction, therefore, that the hon. member for Thetford, being conscious of the rectitude of his relations, should urge forward a full and complete inquiry into all the circumstances of the case.

Colonel *Evans* gave notice, that on Thursday next, provided that the Reform Bill should be passed by that time, he would move for the appointment of a Select Committee to investigate this matter.

Sir *Henry Hardinge* felt convinced, that the Messrs. Baring would have every reason to be rejoiced at the result of the labours of such a Committee; but he must protest against the House of Commons constituting itself into a Court of Appeal, and must protest especially against the motion of which his gallant friend had just given notice.

Mr. *Baring* hoped, that on Thursday next, the House would at once agree to the appointment of the Committee in question.

The Petition to lie on the Table.

Recorder of Sincapore.] Mr. *Stuart Wortley* wished to put a question with respect to the administration of justice in the Settlements of Malacca, Prince Edward's Island, and Sincapore. The Recorder of those Settlements had refused to prosecute his Colonial duties, in consequence of some dispute which existed between that officer and the Governor. The consequence was, that the commerce of those settlements suffered seriously, and he wished to know what steps had been taken to provide a competent and satisfactory tribunal for those settlements.

Mr. *Charles Grant* said, that the losses alluded to by the hon. Member, were not occasioned by the absence of the Recorder. The Recorder was recalled in 1829, and it was only recently that the case had been closed for the consideration of the Privy Council.

Mr. *Cutlar Fergusson* asked, whether these settlements were to be deprived of the benefit of an English Judge?

Mr. *Charles Grant* said, it was thought better to retain the old charter for the present, as the whole question must, ere long, come under the consideration of Parliament.

Mr. *Hume* wished to have an account of the Sincapore Establishment.

Parliamentary Reform—Bill for England—Third Reading.] Lord John Russell moved, that the Order of the Day for the Third Reading of the Reform in Parliament (England) Bill be read.

The Motion being agreed to, the Order of the Day was read.

Lord John Russell then moved, that the Bill be read a third time.

The *Speaker* put the question, That this Bill be read a third time—those that are of that opinion say Aye [" *loud cries of Aye.*"] [Before the right hon. Gentleman put the negative, he made a considerable pause, as if expecting that some Member would rise to speak on the question; but no one presenting himself, he at length proceeded to the words—" Those that are of a contrary opinion say No." Immediately after which Sir James Scarlett rose, as if to address the House, but sat down again, in consequence of an intimation from the Speaker that he had let slip the right opportunity of addressing the House, the question having been fully put.]

The House divided: Ayes 113; Noes 58—Majority 55.

List of the Ayes.

Astley, Sir J.
Althorp, Viscount
Atherley, A.
Adam, Admiral C.
Baring, Sir Thomas
Barnett, C. J.
Bernard, Colonel
Bernal, R.
Brayen, T.
Blamire, W.
Blount, E.
Browne, J.
Briscoe, J. I.
Bulwer, H. L.
Bulwer, E. L.
Calley, T.
Calvert, N.
Campbell, J.
Callaghan, D.
Chapman, M. L.
Clifford, Sir A.
Copeland, Alderman
Cockerell, Sir C.
Cripps, J.
Currie, J.
Curteis, H. B.
Dixon, J.
Denman, Sir T.
Doyle, Sir J. M.
Dundas, C.
Ebrington, Viscount
Ellice, E.
Ewart, W.
Evans, Col. De Lacy
Fergusson, R. C.
Foley, J. H.
Fox, Lieut.-Colonel
French, A.
Grattan, James
Grattan, Henry
Handley, W. F.
Heron, Sir R.
Hodges, T. L.
Hodgson, J.
Host, Sir J.
Hoskins, K.
Hudson, T.
Hughes, H.
Hughes, J.
Hume, J.
Hunt, H.
Hutchinson, J. H.
Johnstone, Sir J. V.
Johnstone, J. H.
Johnston, A.
King, Hon. R.
King, E. B.
Knight, R.
Labouchere, H.
Lamb, Hon. G.
Langton, Colonel G.
Leader, N. P.
Lee, J. L. H.
Lester, B.
Lennox, Lord G.
Lopez, Sir R. F.
Maberly, J.
Mangles, J.
Macnamara, W.
Mackenzie, S.
Marryat, J.
Milbank, M.
Mostyn, E. M. L.
Musgrave, Sir R.
Nowell, A.
O'Connell, D.
O'Ferrall, R. M.
O'Conor, Don
Ord, W.
Paget, Sir C.
Paget, T.
Petit, L. H.
Petre, Hon. E.
Power, R.
Portman, E. B.
Robarts, A. W.
Ruthven, E. S.
Russell, Lord J.
Sanford, E. A.
Sinclair, G.
Skipwith, Sir G.
Slaney, R.
Stanley, Lord
Stanley, E. J.
Stewart, Sir M. S.
Stuart, Lord D. C.
Sheil, R. L.
Smith, J.
Smith, J. A.
Smith, R. V.
Smith, Hon. R.
Stewart, P. M.
Throckmorton, R. G.
Troubridge, Sir E.
Tavistock, Marquis
Tomes, J.
Thomson, C. P.
Thicknesse, R.
Vernon, G. H.
Villiers, F.
Warburton, H.
Walrond, B.
Wood, J.
Wason, W. R.
Webb, Colonel
Westenra, Hon. H. R.
Wilde, T.
Williams, W. A.
Williams, J.

Tellers.

Kennedy, T. F.
Morpeth, Viscount

List of the Noes.

Alexander, James
Bateson, Sir R.
Best, Hon. W.
Brogden, J.
Bruce, C.
Capel, J.
Constable, Sir C.
Conolly, Colonel
Cooke, Sir H.
Courtenay, T. P.
Dalrymple, Sir A:
Douglas, H. C.
Dundas, R. A.
Estcourt, T. B.
Fane, Hon. A. S.
Forbes, Sir C.
Forbes, J.
Freshfield, J.
Gordon, Colonel
Gordon, Capt. J.
Hardinge, Sir H.
Hayes, Sir E.
Hay, Sir J.
Holmes, W.
Hope, T.
Jones, T.
Jolliffe, Sir W.
Kemmis, T. A.
Kerrison, Sir E.
Kenyon, Hon. L.
Legh, T.
Lefroy, Dr.
Maitland, Lord
Malcolm, Sir J.
Maxwell, H.
M'Kinnon, W. A.
Miles, P. J.
Miller, W. H.
Murray, Sir G.
North, J. H.
Pemberton, T.
Perceval, Colonel
Peel, E.
Peel, J.
Rose, Sir G.
Sibthorp, Colonel
Shaw, F.
Scarlett, Sir J.
Taylor, M.
Thynne, Lord J.
Trench, Colonel
Trevor, Hon. A.
Worcester, Marquis
Wortley, J. S.
Wrangham, D. C.
Wigram, W.
Yorke, J.

Tellers.

Clerk, Sir G.
Peel, W. Y.[*]

Lord *John Russell* rose to propose the

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[*] So sudden, and apparently so unexpected, was this remarkable division, that upwards of eighty Members, the large majority supporters of the Bill, were shut out, though in the neighbourhood, or at the time actually on their way to the House. Their entering the House just after the motion was disposed of, occasioned considerable laughter. Among those shut out were Sir F. Burdett on the one side, and Sir R. Peel and Sir C. Wetherell on the other.

following clause, to be added by way of rider to the Bill: "And be it enacted, that if a dissolution of the present Parliament shall take place after the passing of this Act, and before both Houses of Parliament shall have voted Addresses to his Majesty, praying his Majesty to issue his royal Proclamations as hereinbefore mentioned, in such case such persons only as would have been entitled to vote in the election of Members to serve in a new Parliament in case this Act had not been passed, shall be entitled to vote in such election, and the proceedings at all such elections shall be regulated and conducted in the same manner as if this Act had not been passed; but if a dissolution of the present Parliament shall take place after both Houses of Parliament shall have voted such Addresses as aforesaid, and before the last day of April, in the year 1832, in such case such persons only shall be entitled to vote in the election of Members to serve in a new Parliament, for any county, part, riding, or division of a county, city, or borough, as would have been entitled to be inserted in the respective lists of voters for the same, directed to be made under this Act, if the day of election had been the day for making out such respective lists; and such persons shall be entitled to vote in such election, although they may not be registered according to the provisions of this Act, anything herein contained notwithstanding; and the polling at such election for any county, or part, riding, or division of a county, may be continued for fifteen days, and the polling at such election for any city or borough, may be continued for eight days, anything herein contained notwithstanding." The noble Lord said, that Ministers had framed this clause less with a view to meet a practical difficulty, than to provide the Bill against what he might designate as a theoretical contingency. As applying to a theoretical principle ,therefore, it should be regarded, rather than as a remedy for a contingency not by any means probable—that was to say, though they did not anticipate the contingencies which the clause was devised to meet, they felt that the theoretical perfection of the Bill rendered it necessary.

Sir *Robert Peel* wished to call the attention of the House to one or two objections which struck him to the present clause. That such a clause was necessary he was ready to declare, but that the present one met the difficulty of the case, he could not so readily admit. In the first place, it struck him that it placed on the chance of a refusal of the House of Lords to concur in a proposal made by the House of Commons, the actual nullifying of the operation of the Bill altogether. For what did the clause propose? that if a dissolution take place before "both" Houses shall have agreed to a specific Address, to be founded on the report of the district-division Commissioners, such and such things shall take place. Now, suppose the House of Lords should not approve of this report, and therefore should withhold its assent from the proposition for an Address, was it not plain that for every practical purpose the Bill would be negatived? Now this objection was not met by the present clause, which, indeed, was based on the assumption that "both Houses" would, as a matter of course, sanction the report of the Commissioners. It was true, he was ready to admit, the chance of their disagreeing was very remote —that the difficulty which he was pointing at was very improbable; but still it was possible, and if it occurred, would be fatal to the Bill, supposing the general measure to have been in the mean time approved of by the Lords and Commons, and that objection was not conquered. The second objection was of still more force. The clause provided, that after the "last day of April, 1832," should a dissolution take place, either by a demise of the Crown, or the exercise of the prerogative, that the right of voting shall be just as if the Bill had passed into a law. Look to the results of such an arrangement. In such a state of things, they would have neither the votes under the existing system, nor the constituency which the Bill was intended to provide, but would be placed in this strange position—that they would be obliged to receive the vote of every man who presented himself and said he rented a 10*l.* house. The Bill provided, that a strict registry with a very complex machinery, should be preliminary to the right of voting; that, in fact, no man could be entered on the list of voters who had not been duly registered, and undergone every proper scrutiny, as to his qualifications, before the registering officers. But the clause was founded on the fact that no such registry had taken place: that was an extraordinary state, and any person might vote whether he was registered or not. One right of voting was by occupancy; and if the votes were not registered, how could it be known that the claimants actually had such a right? The supposition was, that no registering of the new votes had taken place, which would create difficulty, and there could be no inquiry whatever as to the validity of the claims. Every man who supposed he inhabited a house of 10*l.* rent, or which would be assessed to the poor-rates, would claim a right to vote. He would tender his vote, and there would be no means of controlling or refusing him, and no means of checking his assertion that he lived in a house rated at 10*l.* All inquiry, then, would be set aside, and every person who brought forward a claim must be allowed to vote. Admitting the necessity of some provision like the present clause, he could not support it, because he considered the first part of it as very clumsy, and the latter part of it as very objectionable.

Lord *Althorp* could not see the force of the objections just stated by the right hon. Baronet. It was true, that in the event of the other House of Parliament withholding its assent from the Address to confirm the Report of the Commissioners, there would be such a difficulty as the right hon. Baronet had pointed out; but such a difficulty could not well be anticipated, unless on such a supposition as would imply difficulties which neither the present clause, nor indeed any that he could suggest, could provide against. The clause certainly implied a concurrence between both Houses, and till the want of that concurrence was a matter of certainty, the contingencies, which, as his noble friend had justly observed, were much more theoretical than practical, to which the clause applied, would be to all intents and purposes provided for. The object of the clause was to provide for circumstances in the event of a dissolution before the Bill came into operation, and he could not see how — the Bill itself having been sanctioned by both Houses — an insuperable difference of opinion could arise as to the Report of the Commissioners. Then, as to the other objections of the right hon. Baronet, it was, perhaps, sufficient to observe, that the difficulties which the right hon. Baronet had stated, as the natural result of admitting the constituency under the Bill to vote before all its registry mechanism had been completed, would be met by the existing law with reference to elections. The right honourable Baronet said no, for as there would be at the time no registered list, there would be no means of preventing every man from voting who rated himself as a 10*l.* householder. But the right hon. Baronet seemed to forget, that at present it was the business of the returning officer and his deputy to institute a strict inquiry into the qualification of every voter who presented himself at the poll. This being the fact, where was the difficulty of his instituting a similar scrutiny with respect to the qualifications of voters under the present Bill on such an occasion, necessarily a single one, as that which the clause contemplated as possible? That the returning officer might be enabled to do so effectively, the clause provided that the poll should last fifteen, and eight days as at present. He thought he need not add another word in explaining away the right hon. Baronet's objections. In the first place, the clause provided against a dissolution of Parliament by the demise of the Crown's interfering with the operation of the Bill after a certain date. It certainly would not do, that a House of Commons should, after the last day of April next, be returned by the imperfect constituency of the present system, and therefore, as the right hon. Baronet had correctly stated, it was proposed, that if both Houses shall have addressed his Majesty to sanction the Report of the district division Commissioners before a certain period, that an election taking place between the last day of April next, and the perfect operation of the Bill, then the constituency under the Bill should be admitted to vote: and in the next place, in order that time might be afforded for a due scrutiny into the qualifications of voters, it was provided, though the Bill fixed two days as the average of polling, that the full complement of fifteen and eight days, as under the present system, should be afforded.

Sir *Charles Wetherell* said, that there were two points omitted in the Bill. The first point was, who were to be the constituents of the House of Commons, if a dissolution of Parliament should take place before the new constituency which was to be framed by this Bill should have come into existence. The next point was, who were to be the constituents of the House of Commons in case of a dissolution of Parliament taking place after the Bill had been passed, and before the month of April next. These were two very large and important questions, all consideration of which had been wholly left out of the Bill, and which had escaped the attention of all the members of the Cabinet, till they had been reminded of them by the Opposition. That clause was another and additional proof of the imperfect, and imbecile, and chaotic, and ignorant system of groping in the dark, on which Ministers had acted through the whole progress of the present measure. Here a contingency, the most important, in a constitutional point of view, that could possibly engage Parliament, had been wholly overlooked, and would still be unprovided for, but for the importunity of hon. Members on the Opposition side of the House: and yet the principles and difficulties involved in this important contingency were, even at this twelfth hour, far from having been foreseen or provided against by the noble Chancellor of the Exchequer, and his sapient and eloquent colleagues. They had provided neither for the dissolution of Parliament in case of the King's death, nor for the dissolution of Parliament in case of the exercise of the King's Prerogative. In the progress of the discussion, these points had been brought under the consideration of the Ministers, and the clause was intended to meet these events. The first part of the clause provided, that the old constituency should elect the House of Commons, which he thought was right. The second part of the clause he did not approve of. The clause did not, in fact, meet the difficulties of the case. The new voters would have no right to vote till they were registered, and there would be no means of registering, and no legal votes. * The constituency of the country might then be anybody; it would vibrate between the old and the new, and place the country in a state of great danger. There would be no means of cutting off those who claimed to vote without any right, or of adding those who had the right, and were not inserted in the lists. What was there to prevent improper persons from voting? What security against this? Would it not be in the power of the Overseer to put in any person whom he pleased? [Lord *John Russell* here said "No."] The noble Lord might say no, but did he really believe that no person would be inserted in the Overseer's list who ought not to vote? He believed, that such radical and revolutionary Overseers as the Bill would generate would place the return of Members—in the event of a dissolution within six months—wholly in the hands of revolutionary voters. He thought, in case of a dissolution taking place after the two Houses had addressed the Crown, and before the month of April, that the old constituency ought to elect the new House of Commons. It was a mockery, a delusion, and a cheat on the understandings of those who had attended to the progress of the Bill, to say that the lists could be scrutinized or the voters checked, under the new Bill, before they were registered. There would be a crisis of great danger, should the demise of the Crown take place between the passing of the Bill and the period when the lists of the new constituency were complete.

Lord *John Russell* had little to add to the satisfactory explanation of his noble friend, and therefore need not detain the House with a formal reply to the hon. and learned Gentleman. On the supposition of a demise of the Crown taking place at any period before the Bill came into full operation, it was, perhaps, sufficient to observe, that very little more than seven months would bring them to the last day of April, the day on which the clause would be operative. Parliament possessed the power of sitting six months after that demise—that is, had six months to provide for all those difficulties which scared hon. Gentlemen opposite. He need not say how remote was such a contingency at the present moment, and, indeed, need not add how earnestly he trusted it would long continue so. Then, as to the other objection—that founded on the possibility of the House of Lords not concurring with the Commons' Motion in an Address adopting the Report of the Commissioners—he really thought it so extraordinary, so utterly improbable, that he knew not how seriously to meet it. It was a sufficient answer to say, that the Bill provided for a constitutional theoretical contingency; but that no legislative measure could, *a priori*, provide against every possible difficulty which subtilty might be able to devise. Then, as to the objection, that as there would be no registered list of voters on the occasion contemplated by the clause, there would be no means of preventing surreptitious persons voting under an alleged 10*l.* qualification, it was sufficient to ask, in answer, how were such fraudulent votes prevented under the existing system? The answer was, by the scrutiny of the returning officers.

Sir *Charles Wetherell:* The returning officer could not do so under the present Bill.

Lord *John Russell:* Why not? The circumstance of there being no list of the voters, could be no objection, for there was no list of the 40*s.* freeholders who voted under the present system. The only mode which the returning officer had of determining the validity of a 40*s.* vote was by examining into its authenticity; and the same mode would enable him to determine the validity of a 10*l.* suffrage. But all these objections, he repeated, were so improbable, that it was a waste of time to discuss them, the clause being, as he had stated, intended to meet a theoretical contingency by no means practically probable.

Mr. *Goulburn* thought the noble Lord had given no answer to the objections stated to the clause. It was not so impossible as the noble Lord seemed to suppose, that the event alluded to, of a dissolution, might take place before the end of seven months. He, therefore, did not consider that this was a mere constitutional and not a practical difficulty; it was, certainly, a constitutional difficulty and a practical difficulty also. The noble Lord should recollect, that the returning officers had, in the assessments to the Land-tax, a guide to check the claims of the freeholders. He was of opinion, too, that the new rights of voting were much more complicated than the old, and would give more trouble.

Mr. *C. W. Wynn* approved of the clause, as likely to answer the object proposed. The objections made to the Bill which this clause was to obviate, were not theoretical, but practical and constitutional objections, made to defend the Prerogatives of the Crown. If the clause had not been introduced, the House of Commons might, if the Bill passed into a law, continue its sittings for seven years, and the Crown would have no legal power to put an end to it. He was quite satisfied with the former part of the clause, but not with the latter, and believed it would have been better to have stopped at the former, and allowed the Parliament, should it be dissolved before the last day of April, to be elected in the same manner as it would be if the Act did not pass. By the second part of the clause, the polls were to be kept open for fifteen days; but by the Bill, all the difficulties which might intervene must be left untouched, for nothing could be decided either by the Sheriff or his deputy.

The clause read a second time.

On the Motion that it be read a third time,

Sir *Charles Wetherell* stated, that in the supposed case of a dissolution taking place after the two Houses had agreed to the Address, and before the registry was completed, there would be many difficult questions to be decided by the returning officers. The Bill created new boroughs, and separated them from counties, and the returning officer would have to decide whether a man claiming a vote had a right, in some cases, to vote for a borough or a county.

The clause read a third time, and added to the Bill by way of rider.

The *Speaker* asked, if there were any other clauses to be added? — "No." Were there any Amendments in the body of the Bill?

Mr. *Lee Lee* proposed an Amendment in the 22nd clause, reserving the rights of all the freeholders now under age, who would, on coming of age, have a right to vote, if this Bill did not become a law. Such a reservation, he said, was made of the apprentices and sons of freemen, and he saw no reason why the same reservation should not be made of the rights of freeholders. He could not doubt, as the Amendment he proposed was only fair and equitable, that it would meet the approbation of the House. The hon. Member moved an Amendment to this effect.

Amendment brought up and read.

Lord *Althorp* said, this clause was to place freeholders on the same footing as freemen. It was to reserve to the sons of freeholders all their present rights. He saw no objection to the Amendment.

Amendment agreed to, and inserted in the Bill.

On the Motion of Mr. Briscoe, it was agreed that in clause 44th the words "Saturday and Sunday" should be inserted, instead of "Saturday," Lord John Russell stating that he had no objection.

The *Attorney General* had a proviso to propose, giving to parties in whose favour costs should be awarded by Election Committees, the power of recovering them in the same manner as directed by the Act of the 9th of George 4th. A clause to this effect was drawn up and printed; but such was the unexpected turn, with respect to the question of the third reading, that time was not allowed for engrossing it with the Bill. He had therefore to add it by way of proviso. The hon. and learned Gentleman then moved the following proviso:—"Provided always and be it enacted, that where the Committee appointed to try the merits of any petition complaining of an undue election, or return of a Member or Members to serve in Parliament, shall award costs in any of the cases mentioned in this Act, such costs shall be recovered in the same manner as costs are directed to be recovered by virtue of the Act passed in the ninth year of the reign of King George 4th, entitled 'An Act to consolidate and amend the laws relating to the trial of controverted elections, or returns of Members to serve in Parliament.'"

Mr. *James L. Knight* observed, that this said nothing of the taxing of costs, which an Election Committee had not the power to do.

The *Attorney General* said, that the power to recover the costs "in the same manner" as by the 9th George 4th would be sufficient with respect to costs.

Amendment agreed to.

Lord *John Russell* said, it was suggested on a former evening, that the townships of Hensingham and Moresby should be added to Whitehaven. On inquiry, it had been ascertained that such an addition was desirable. He therefore now moved, that this township be added.

Mr. *Croker* expressed his entire concurrence in this Amendment.

Agreed to.

The *Speaker* inquired whether there were any other amendments to be proposed to the body of the Bill. No other amendment being offered,

Lord *John Russell* said, Sir, I now move that this Bill do pass.

Sir *James Scarlett* did not rise at that moment in the hope, or with even the most distant expectation, of being able, by any arguments which he might be able to use, to alter or sway the opinions of any hon. Member, or to influence the vote which any hon. Member had formed a determination to give on the momentous and interesting question now before the House. But, although he was ready to avow the absence of all such hope on his part, still he did feel it to be necessary for him to make some observations, whereby would be placed on record those objections which he had to the passing of the Reform Bill. If he had ever entertained any hopes that he could successfully offer any opposition to the Bill, those hopes had now vanished; and, although he regretted that he had missed the very recent opportunity which had been offered him, on the question that the Bill be read a third time, still, as the majority then obtained showed how fruitless all opposition was, he considered that the objections and observations which he had to make would have just as much weight, and produce an equal effect to that which they would have produced, had he been able to make them at that period. He must, however, own that he had entertained strong, and, as they seemed to him, well-founded expectations, that, on his motion for the third reading of the Bill, his noble friend opposite (Lord John Russell) or some other Gentleman, either in the Government, or allied with it, would have risen, and have afforded the House some opportunity of being able to judge and know how the present Bill would operate upon the Constitution of England, and how it was in contemplation that the present or any future Government of this country should conduct the affairs of Government in conformity to the principles of the Constitution. He confessed, that he expected this the more because, although he had attended in his place from the 1st of March, when the Bill was introduced, and the noble Lord had made his statements respecting its principle, which was then discussed, he had heard nothing since from the noble Lords opposite which could be fairly considered as referring to anything more than the particular clauses, nor was there any general discussion as to how the Bill would act, or how they supposed that it would work. For himself he would have been extremely glad to have received some information of this nature from the noble Lords, or from any hon. Member on the other side of the House—for he must declare himself to be, as indeed he was well known to be, no enemy whatever, but a friend, to a moderate Reform—and he must, therefore, say, that he should have felt rejoiced in the assurance and knowledge that the Reform carried into operation by the present Bill was a reform, and not a revolution; and that instead of being pregnant with that danger to all the best institutions of the country which he feared would result from it, and which, in his opinion, would be its inevitable result, it was calculated to improve them and promote the happiness of the people. He felt considerable difficulty in making the objections which he conceived it to be his imperative duty to offer, for there never was a Bill introduced into that House containing so vast a variety of subjects—subjects involving the most important considerations, as far as regarded the whole fabric of the British Constitution, or the prosperity of England. The matter contained in the Reform Bill ought to have formed the subject of three or four separate Bills, so as to have allowed a separate discussion for each branch of it; and it was utterly impossible for him, in a speech such as that to which he was limited, to discuss that which it would take any man half a day to go over. He wished it had been divided into several bills, because then the principles upon which it was based could have been discussed independently of the machinery by which those alterations were to be effected; and, had that been the case, a man of moderate capacity, such as himself, could have embraced the whole of each branch at once. It was with deep regret, therefore, that instead of having this plan of Reform divided into parts, as the proposed changes might affect the different branches of the Constitution, he should find the whole jumbled together into one mass, in such a manner as no man could understand. He should, at the present time, therefore, content himself with suggesting, in as few words as might be, the general objections which he took to the Reform Bill, and in doing so he threw himself upon the indulgence of the House, if he commenced by professing his predilection in favour of that machinery of Representation under which England had enjoyed the greatest share of liberty and the largest portion of prosperity, that had ever fallen to the lot of any nation. Was it necessary for him, then, to state more to impress upon the House the vast importance, and mighty interest of the Bill, than that the Bill was clearly experimental? It was simply for them to consider, whether, by a Constitution altogether new, they would be able to preserve that degree of civil liberty and prosperity which, under the old system, England had enjoyed to a greater extent than any other nation, ancient or modern. There had been several revolutions in this country; and without attempting to justify the objects or reasons of all, either in whole or part, he would merely declare, that the constitutional result of all these revolutions had been, to add vigour to the Government—to increase the naval and military glory of the country, and to augment the wealth and prosperity, and the civil and personal liberty of the people. But in the constitutional results of all these revolutions, there had been nothing to affect the just and fitting and proper authority of the Crown, or of the second branch of the Legislature—or nothing to make the popular voice supreme in the State. If the republican form of Government were proposed for this country, he thought it might be considered—although to sanction it, would be, in his opinion, inconsistent with his duty as a Member of that House, and with his oath of allegiance—but still it might be entertained as a speculative question. And then, even if it were so brought forward as a speculative question—if it were, *res integra*, a question to consider if the republican form of government might not be wisely preferred to that now existing in this country, he would declare it to be his deliberate opinion, that the establishment of a republic, or any thing like it, would not be permanent in duration, nor would it, while it lasted, secure to us that degree of liberty and prosperity which the people now enjoyed. He would not enter into any discussion to prove this position. He stated it—he took for granted—at least he was entitled to take it for granted—that no man who supported this Reform Bill wished to entertain the notion of a republic in that House, whatever might be the private opinion of individuals upon the subject. His own opinion was, that, instead of adding to our liberties, and prosperity, and glory, it would destroy all that which we already possessed. And many were the advantages and blessings, he wished them to remark, which they enjoyed above all other people, ancient or modern. We had the administration of justice in the hands of the people—in matters of judicial trial we did not feel the power of Government upon any political question. The peasant here was not afraid of any man of power who happened to be his neighbour. Never was there in any community so perfect an attainment of all the interests and objects of civil government as in this. He knew that in saying this, he might be speaking that which was highly unpalatable to many hon. Gentlemen opposite; for now-a-days it was considered patriotism to be discontented with our institutions. There was, however, another thing which he would mention as a peculiar advantage, and that was, that the great police of the country was administered by independent gentlemen—by persons of property and respectability, who had a direct and positive interest in maintaining the institutions and promoting the prosperity of the State; and who, above all, did belong themselves to the people. Then the great police, which in other countries was attached to the government, was in this placed under the Magistrates, who, though men of property and station, were yet at the same time men of the people. In stating this, he felt he was saying that which was obnoxious to the opinions and wishes of many supporters of the Bill, who thought that this system ought to be put down. They were likewise hostile to another of our ancient institutions, which had been highly prized, and greatly favoured, and long esteemed one of the noblest rights bequeathed to us by our ancestors—he meant the Trial by Jury. Men were taught to consider it a glorious privilege, and an especial blessing of England, that only a few Judges should be appointed by the Crown, while the rest were appointed by the people, and that every individual accused of any offence should be tried by his peers. But now there were many hon. Members who were of opinion, that the Trial by Jury, at least in civil cases, should be abolished. Both were, in his opinion, of equal and the highest value, though both alike faulty in the estimation of those who made speeches before the multitude, and who fixed their hopes and glory upon the destruction of the institutions of our country. When he looked over this kingdom, he saw a number of small communities exercising privileges, which in other countries belonged to the government alone. First, there were the parishes, which had the power of legislating with respect to the highways, their own charities, and so forth. Again, there was the great number of corporations, having their own local Magistrates, and local authority, and thus being, in fact, to some extent, little republics, wherein public subjects were agitated and discussed, and where local affairs were administered by those most interested in their due administration. Again, in the old division of counties, which this Bill was about to destroy, there were the Grand Juries at the Assizes, and on other occasions, investigating all things relating to the interests of the county; and this, he maintained, might justly be deemed a great advantage in the administration of public affairs, because it was so understood and seen, that they were administered by the people, and not by the court, and the people did not feel the arm of government, as in other countries. Were these things, he asked, worth preserving? And if so, what security had they that they would be preserved hereafter, and under this new Constitution? It would undoubtedly be said by some noble Lords opposite, that they would be better preserved, and more secure, when the measure shall have passed. Were they quite sure of that? Were they sure that the monarchy would be preserved after the Bill passed? Was it certain, that the House of Lords would be preserved? Was it certain, that the same feeling would exist toward the House of Lords, upon the part of the people, and upon the part of the House of Commons? Was it certain that there would be in that House the same moderation, the same wisdom, and the same temper, and the same disposition to blend the liberty of the subject with the rights and privileges of the Crown and Aristocracy? Those who were sure, that none of these results would accrue, might give an honest and conscientious vote for the Bill; and if he were sure of that, he would add his vote to the number. But he hoped the House would forgive him when he declared, that he was not sure of this, and briefly stated the reason wherefore, after the most anxious deliberation, he was led to form and give expression to this opinion. He felt that the Bill was an experiment, that it would of necessity effect a great alteration in the nature and character of that assembly, and endanger every other institution of which Englishmen had reason to be proud, and which it was to be presumed the noble Lord (Lord J. Russell) did not wish to destroy. If, then, the Bill were purely experimental, he declared that no person had a right to try an experiment on so large a scale. No person had a right to try an experiment which might be fatal. Nothing but the most positive certainty that some of the great institutions of the country were injured or affected with danger could justify a proposition in making an alteration so extensive.

He strenuously objected to any species of Reform from which we could not retrace our steps. He would have supported a moderate and safe plan of Reform, but never would he have supported any Reform from which, if he found it could not be conducted satisfactorily, it would be impossible to go back. When once this Bill passed, it would be impossible for them to retrace their steps. It was intended by the hon. Gentlemen opposite to make a newconstitution of the House; he, therefore, opposed it. It would be said, that that House should be a perfect representation of the people; but that was only an assertion—a mere form of words. For himself, he denied that the House had ever been a more perfect representation of the people than it was at that moment. The House was part of the institutions of the country, and it never was—it never was intended to be—a perfect and unmixed representation of the people. He defied the hon. Gentlemen opposite to show any period of our history at which the House of Commons was a perfect and unmixed representation of the people. If it could be shown, he should be indebted for some information on the subject, for he at present believed, that never was there a period when the influence of the people was so great in that House as it was at present. It was thought necessary to amend the Representation; but what sort of assembly was this they were about to constitute?—what its object?—what its character? If it was the object to make of that House an assembly purely popular—to make it a perfect representative of the people, independent of the influence of the Crown and of the Aristocracy, he declared, that the alteration effecting this would be the first step towards revolution and the overthrowing of the monarchy. He appealed to history and its testimony of the undeviating practice, when he stated, that no purely popular assembly ever did long exist in conjunction with a monarchical form of government. What was it gave the House of Commons its present extraordinary power? It had been ever since the Revolution encroaching on the Executive Government. And yet, at the same time, all this extension and mighty power of the House of Commons had safely grown, because the nature of the Constitution wassuch as to allow the House of Commons that power which, in a purely popular assembly, never could have been allowed to exist. That a purely popular assembly could be constituted for a great nation like this, he positively denied, if they were anxious to maintain the King and the House of Lords. And if this measure should pass into a law, he should say to the noble Lords who denied the Bill was revolutionary, "Look to the British Constitution—look to the House of Commons." The House of Commons was so constituted, that in its body the weight of the Monarch and of the Aristocracy should have influence to promote the public business, and blend with the popular influences represented by certain parties. Thus might all affairs be conducted safely by it, with due regard to the rights of the Monarch and the privileges of the House of Lords, and they might safely be intrusted with the greatest power. If he were allowed, he would say, look to history; but history and experience were out of fashion, and the time for referring to them was gone by. He would, therefore, say, look to speculation—look to pure reasoning—look to the opinions of learned men—and, looking thus to reason—looking to the general principle, he declared, that if they desired to maintain the Monarch and the House of Lords, they must not look to a purer representation of the people. If they gave the House of Commons the same power which it now possessed, and from which, he presumed, it was not disposed to part, the people would be then oppressed by many tyrants—a more intolerable tyranny than that of the worst despot; and, consequently, a thousand times a worse form of rule than that from which they wished themselves free. Besides, it was natural that the power of the House of Commons should increase. The House of Commons had not, for the last 150 years, had any struggle with the King or the House of Lords; but if they only gave it the popular voice, he maintained, that representing the popular will only, it would often be hurried into discord with the two other branches of the Legislature. Again he begged to remind them, that in any question with the other parts of the Legislature, the House would be urged on by the people; and that the popular opinion, maintained by popular passion, was not the thing to be consulted; but that, if it were so consulted, it would assuredly sweep off all things in its way before it. At present he contended that popular opinion found its way sufficiently into the House—first, by means of the number of Members returned for popular places; and, secondly, from the very fact of the great numbers of the House. It was impossible that in an assembly of 600 persons there should not be a great infusion of popular spirit. And, although it certainly was most desirable that the popular voice should be heard in the Legislature, it was not less desirable that it ought not to be permitted entirely to overpower the expression of the sentiments of the other orders in the State; and, above all, it was desirable that means should be taken for diminishing the danger that would arise from any sudden ebullition of popular feeling leading to measures of precipitation in that House. On these principles he could never approve of converting the House of Commons of England into an assembly of delegates; he could never approve of rendering it an assembly of such a nature that it should merely represent the popular voice; that it should merely represent the opinions of a certain class of voters. Now, in his opinion, the object of the Bill which they were called upon to pass was to do this. Its object was to put an end to the representation of the Monarchy and the Aristocracy; and to convert the House into an Assembly of Delegates; of individuals, not speaking their own sentiments and opinions, but representing what they believed to be the sentiments and opinions of those by whom they were delegated. The object of this Bill was, beyond all question, to put an end to the monarchy and to the aristocracy, and to send individuals into Parliament as the Representatives of districts, who by giving vent to the ebullitions of the public voice, might drown and overpower any accents which might be raised in defence of other branches of the Constitution. He would not detain the House by any dissertations upon the Constitution, he would merely refer to the opinions which had been given on that subject by the theorizers, or, as some might call them, the theorists on the other side of the water. This was the first time on which any Government which had swayed the destinies of a prosperous and contented people had ever thrown down before the people the right of discussing all the principles by which they were governed. The great theorists on the other side of the water, among whom no system of government was certain or stable, among whom no Ministry lasted for three months together, had never carried their views so far as to concede solely to the people the right of instituting laws. Nothing of the kind had occurred in France, in the frequent changes which had taken place both before and after the despotism of Bonaparte, when the people were obliged to consider and decide upon what plan of government it might be expedient to adopt. In England, by the system now proposed, the people were travelling, by rapid strides, to a revolution. The history of Poland was sufficient to show the disastrous effects resulting from such a course of proceeding. If the Bill under consideration were allowed to become law, then the present form of government in this country could not long exist: it must necessarily pass, and that by hasty strides, into a Republic; and the transit would be accompanied with the most calamitous consequences to the country. The advantages derived from the return of Members for certain places by a small constituency, under the influence of individuals of rank and fortune, were, in his opinion, invaluable. A suggestion had indeed been thrown out on this subject. It had been said, that those Members who were thus nominated were not the Representatives of the whole class of the individuals by whom they were so nominated; and that it would be better for individuals of rank and fortune to join together, and vote for their own particular Representatives. This suggestion had a specious appearance; but it had this great defect, that it would fail to secure the proper influence which the Crown ought to possess in that House. A noble friend of his on the other side had, in the course of an argument in favour of the Bill, and with a view to show that the constitution of the House was not calculated to consult the best interests of the public, analysed the majorities by which, at various periods, Ministers had been supported when they were, as his noble friend conceived, in the wrong; and had shown, that for those majorities they were, of all classes of Representatives in that House, least of all indebted to those who were considered as popular Representatives. Now, in the first place, he begged to observe, that it was entirely an assumption on the part of his noble friend, that, in the cases to which he had alluded, and in which Ministers had been supported by majorities, that those majorities were in the wrong. The question was not what any political party had thought of those measures, but what was thought of them generally by the country. It did not follow, that because a Government measure was thought wrong by Gentlemen in opposition to Government, that the country at large must think that measure a wrong one. It was undoubtedly true that, in various cases, many hon. Members, and excellent men too, had voted in support of particular measures of a particular Government, although of those measures they highly disapproved. Take, for instance, the case of the Walcheren expedition. There could be no doubt, that many hon. members voted in support of Ministers on that occasion, who nevertheless strongly condemned that expedition. But they did so on the principle that they should otherwise endanger the existence of an Administration of whom generally they approved, and thereby injure, instead of benefitting the country. He would suppose a case which might easily occur; that of a measure of the greatest wisdom, proposed by an able Cabinet, after the greatest deliberation; and yet against which the current of popular opinion should strongly run. As the House was at present constituted, the Members of counties would be under the necessity, against their own conviction, of voting against such a measure, in order that they might be enabled to keep their seats. He stated this to show how unsafe it would be for any Administration to rely solely upon a popular Representation in that House; as the members of such a Representation would be compelled to vote against their own judgment, for fear of being turned out of their seats. If the 10*l.* household franchise were established, the Representatives of such a constituency would be nothing but delegates. Under such circumstances what stability could any Administration possess? For instance, there were two great questions —the Corn-laws and the Currency: he took it for granted that the majority of the present Cabinet were determined to maintain the Corn-laws and the laws respecting the Currency; but could they do so if the whole of the Members of that House were as much obliged to attend to the popular voice as the county Members? He apprehended not. It was clear, therefore, that such a system would be pregnant with the most serious danger to the Constitution. A few words on the formation of the Bill under consideration. His Majesty's Government had been blamed by a certain party for having been so tardy in carrying it through the House. He, for one, however, could attach no blame to them on that score. It had been said, that this Bill had been met with the strangest and most unaccountable delays on the part of the Opposition. For his own part, he would fearlessly assert, that he had never heard of any Constitution that had been formed so soon as this new Constitution for Great Britain. It was brought down by the Minister—it was carried by acclamation both in and out of the House without investigation or deliberation—and all this was done in a space of six weeks. It had been said by Mr. Fox, that if a number of the wisest men were to sit down to form a Constitution, and were to expend much time in the undertaking, it was a hundred to one but that the result would be full of inconsistencies and impracticabilities. A Constitution must be a growth; it must be made by degrees; it must go on step by step—now advancing, now receding. It could never be effected by any one sweeping measure. So far, therefore, was he from blaming the delay of his Majesty's Ministers, he was only astonished at the rapidity with which they had concocted this new Constitution. He must say, however, that when he looked at the machinery of the measure, he was convinced that it was impossible it could work. The theory could not be reduced to practice. There were two neighbouring clauses in the Bill so wholly inconsistent with one another, that he really wondered that their incompatibility could escape the attention of the framers of the Bill. The first related to the clause respecting leaseholders, an objection to which had already been discussed, but which, as it stood, was wholly inconsistent with the clause which immediately followed. There was one clause which gave a leaseholder for sixty years, of lands of the value of 10*l.* a-year, the right of voting. If he assign that lease to another person, the latter would have a right of voting. And if an under-lease were granted, or a derivative lease, the under-lessee would also have a right of voting, if he were the actual occupier. Hence it followed, that a lease of land of 10*l.* yearly value could be made the basis of two votes. No man who understood the construction of the clause could doubt the proposition, that, provided the lands or tenements leased be of the yearly value of 10*l.*, the original lessee or his assignee of the whole term, would have a vote—and if the one or the other should grant an under-lease to an occupier, reserving only 10*l.* and 1*s.* the occupier would also have a vote, whilst the leaseholder retained his vote for property that was of no value to him beyond the 1*s.* per annum. But the clause immediately following, which applied to freehold leases for lives, and was intended to raise the qualification of that class of voters from 40*s.* a year to 10*l.*, provided that no owner of a freehold lease, for the life of himself or any other, shall be allowed to vote hereafter, unless the lease was of the actual value to him of 10*l.* a year. If lands of the yearly value of 19*l.* a year should be held under a freehold lease at the reserved rent of 10*l.* a year, the lessee could not vote, because, though the lands might be worth 19*l.*, yet he paying 10*l.* to his landlord, the lease was worth no more than 9*l.* a year to him;—whereas, in the former case, the occupier would vote and the lessee too would vote, though his lease was worth but 1*s.* a year to him, provided the lands were of the yearly value of 10*l.* So that, by this ingenious inconsistency, the Bill destroyed an existing right of voting in respect of lands of the value of 19*l.* a year, and set up two votes in respect of other lands of the value of little more than 10*l.* a year. This objection, however, applied not to the machinery of the Bill, but to the inconsistency which the mere love of change—for the sake of change only—had introduced into the rights of voting. That which might properly be called the machinery of the Bill, he was satisfied could never be brought into operation. A number of customs and Acts of Parliament, which now regulate both the rights of voting and the modes of election, and which were well understood, would be at once abolished, and in their place was to be introduced a machinery altogether new and studiously complicated. He was at a loss to conceive how the machinery respecting registration by the Overseers of parishes, could be brought into operation. The Overseers of the poor in every parish were to make out a list of all the persons entitled to vote. Had hon. Gentlemen considered who those Overseers of the poor most frequently were. The Act of Parliament required that they should be substantial householders, and in country parishes they were mostly farmers engaged in the pursuits of husbandry. These Overseers were now to be made political agents, and this Bill would make them political agents in all the parishes in England. In towns where the elective franchise depends upon scot-and-lot, these officers were already too much political agents; but this Bill would make them so generally. It would make officers, who were appointed, *alio intuitu* of a very different description from that for which they were intended. How was the Overseer of the poor to know who was a freeholder who was a copyholder, who a leaseholder, who the holder of a 10*l.* house, within the district? When the list was formed, the officer would be bound to place it in various conspicuous places. The farmers who were compelled to take upon themselves the office of overseers of the poor were very harshly treated; it was clear that they could seldom be competent to make out the lists, which they were nevertheless required to make out, and stick upon the church door on two successive Mondays after making them out. They must necessarily employ an attorney; and this consideration added to the justice of the observation, that there never was a bill calculated to be more productive to the lawyers. The Overseers were also required to make a copy of the list, to be perused at any time by persons demanding to see it; and they were also to receive notices in writing of objections to persons being comprehended in the list, as well as of omissions in it. Let it be recollected, that in the country, the Overseers of the poor were farmers, who had their agricultural labours to attend to, who were obliged to go to market, and whose time was necessarily occupied in a variety of other ways; and yet this uncongenial task was to be superadded. But what were these Overseers to do further? They were to send the lists to the High Constable, who was to send them to the Clerk of the Peace, who was to arrange them alphabetically. Let it be recollected, too, that the Clerk of the Peace had no pay, and that this was to be done once a-year. The Clerk of the Peace was to send his lists to the Sheriff. The Sheriff was exceedingly ill used: having appointed a Monday for the nomination, if there appeared to be more than two candidates, he was to appoint Wednesday for the election. What had the Sheriff to do in the intermediate single day? To build fifteen booths (it being provided that no voter should have to go more than fifteen miles to the place of election, although how that could be accomplished in various counties, for instance, in the West Riding of Yorkshire, he could hardly conceive), to appoint fifteen Under-sheriffs, and fifteen Poll-clerks, and to cause fifteen copies to be made of the register—all in one day. Take the neighbourhood of Skipton, Settle, and Harrowgate, and wherever they fixed the position of polling places, it must fall out that in some parts of the county, there would be many freeholders more than fifteen miles distant from any polling-booth. Skipton, for example, was twenty miles from Harrowgate, and sixteen from Settle. It would, therefore, not suit either of them. Blubber Houps, a mere village on the moors, might suit both these places, but would not suit Settle; and Gargrave, a small village between Skipton and Settle, might suit these, but was not within fifteen miles either of Ingleton or Clapham, both towns of some population on the borders of the county. If the Sheriff were to make all these preparations before the day of nomination, and it was to turn out that there was no contest, the expense would fall on himself. He begged leave to say a few words of the Barristers to be appointed under the Bill. He confessed that he should be surprised if a sufficient number of Barristers could be found to carry the objects of the Bill into effect. The risk they would run was great. If they acted wrong, or were even suspected of doing wrong, they would be exposed, first to the decision of a Committee of that House, who might award costs and penalties against them; secondly, to an action brought for damages before a Jury by the party professing to be aggrieved; and thirdly, to a *qui tam* action by a common informer, who might recover 500*l*. Thus the Barrister would be subject to three fines. Then as to the appointment of the Barristers; if the younger members of the Bar were what they were when he knew them better, he thought few gentlemen would be found to accept situations under the Bill. Their duties must be performed between the 10th of October and the 25th of November. Now, the Quarter Sessions began early in October, and Term on the 2nd of November. To accept situations under the Bill, Barristers must, therefore, give up the Quarter Sessions and Term. None would do that but those utterly without experience, and utterly unqualified. He therefore thought that it was impossible that the profession could furnish a sufficient number of competent members for the purpose. The Bill appeared to him to be a receipt for stirring up the people, and keeping them in a constant state of agitation. Suppose they could not find a sufficient number of Barristers, how was the Bill to be carried into effect? Let the House also look to the probable elections for large towns. By examining the population returns, it appeared that more than a third of the voters in Manchester to be created by the Bill, would be householders of between 10*l*. and 20*l*. The Representatives therefore, of that most important, interesting, and opulent town, would be chosen by the working classes. Such, he conceived, would be the case in all great manufacturing towns. It was a different thing in small towns, not manufacturing. In such a place, for instance, as Richmond, in Yorkshire, a man worth 1,500*l*. a-year might probably inhabit a house of 10*l*. a year. But in large manufacturing towns it was clear that the Members would be chosen, and in many cases with mistaken views of their own interest, by the working classes. And when it was considered how much the manufacturing exceeded the agricultural classes in activity and perseverance, they might soon expect, that the Corn-laws would be repealed, and that the first blow to all property, the confiscation of the property of the Church, would soon be given. He had trespassed long upon the patience of the House; but feeling that the proposed measure was pregnant with danger to all those institutions which they had been accustomed to hear spoken of with praise, he should have been guilty of a neglect of his public duty if he had not strongly protested against its adoption.

Lord *Morpeth* would not trouble the House long; for if he had been unwilling to arrest the progress of the Bill by any observations, he was still less disposed now to retard its triumph. He would, however, make one or two remarks; but would not enter into the details which the hon. and learned Gentleman had treated with that ingenuity of which he was so great a master, although not with that extreme shortness which he complimented himself by anticipating in the early part of his speech. He regretted that the hon. and learned Gentleman had not attended the Committee on the Bill, where the details into which he had that night entered would have been perfectly in place. A new line of assertion and attitude of hostility had been taken by the opponents of the measure;—not by the hon. and learned Gentleman, he was too able a tactitian; but by those who were more impetuous in their temperament, both in and out of the House. They founded their hopes of annihilating the Bill upon this ground:—Not having been able to strangle it in its cradle, or to change it at nurse; as it had arrived at a state of manhood unaltered, they hit upon the device of asserting that there was a re-action in the country respecting it. From the position which he had the honour to hold, he was brought into contact with large bodies of the people and with divers interests. In the progress of the measure, it had been his effort to discourage, rather than to stir up, the general dissatisfaction which was provoked by the tardiness of the movements of the House; fearing, as he did, that the free discussion which undoubtedly ought to take place on all questions of importance, might be interrupted. But he would take upon himself to say, that the feelings of the people of this country, either in their general desire for Reform, or in their wish for this Bill in particular, had experienced no such re-action. Tired, sated, and worn, the public mind might be, and no wonder, by the eternal repetitions, and by the tautological criticism, which had taken place, not only on the most prominent, but on the most insignificant parts of the Bill; and more on the latter than on the former. Of fatigue there was much—of disgust there was some; but of re-action there was none. Let those who thought the fate of the Peerage wrapt up in the fate of Gatton, or the fate of the Monarchy involved in that of Old Sarum; or who believed that the majority of that House were a band of conspirators whose object was the destruction of the Constitution, continue to think so; but let them not think that the people of England were changed, or that they were disposed to forego their settled purpose to obtain a Reform in Parliament. How inconsistent was the course pursued by their opponents! First, they represented the country as indifferent to Reform, and then they declared that the people were so obstinately attached to it, that they would not be satisfied with the present Bill, but would press for ulterior measures. First, they imputed languor to the people; and then immediately charged them with over-activity and love of mischief. In one breath they asserted that the country viewed the proposed change with indifference, and were quite ready to acquiesce in things remaining as they were; and then they declared that it would be impossible to satisfy the country, even after the abuses complained of had been removed, and the benefits wished for had been conferred. It had become fashionable (and the hon. and learned Gentleman had complied with the mode) to disparage manufacturing and commercial bodies, and to attribute to them undue motives. No classes of men, however, were better capable of estimating the rights of property and the value of order. The congregation of men in large masses was in his opinion, better calculated to elicit truth than error. His hon. and learned friend began with stating, that the manufacturing classes would commence by attacking Church property, and would end by attacking every kind of property. Now, any attempt at such wholesale public robbery would affect the interests of the commercial classes more than those of any other portion of the community. His hon. and learned friend had painted in glowing colours the danger of that House becoming the organ of measures purely popular; but his hon. friend had not adverted to the propriety of allowing any interest to have its due influence in the State. This Bill would give Representatives to the towers of Belvoir and the demesnes of Lowther, in conjunction with the looms of Manchester and the forges of Sheffield. He hoped the qualification was high enough to secure due consideration for property and order, and that it was not too high to be attained by the humblest of an industrious population. The Bill would, therefore, give to industry and integrity at once an excitement and a reward. He would not, however, go into the details of the measure which had been so long before the House. He would only express a hope, that the expectations which it had excited would not be disappointed by any fraud, or soured by any unnecessary opposition. He knew that there were some persons blind to the imposing spectacle, and deaf to the harmony of an united people. But he was glad that a majority so disposed was not to be found in that Assembly. He hoped that the same feeling would appear in that ancient and honoured Aristocracy, which had hitherto supported the struggles of freedom; which had contributed to give the people Magna Charta, the Bill of Rights, and Catholic Emancipation. He could see no solid ground for any apprehension arising from the adoption of the measure. It would not remove one security for honour; it would not hold out one temptation to vice; it would not destroy one incentive to virtue. What they waged war against was corruption; and by destroying it, he trusted that the Legislature would regain that confidence on the part of the people, which alone could enable them to act in a manner consistent with the happiness and dignity of the country. He would not trespass longer upon the House. He hoped that, under the blessing of Almighty God, they would never rue the hour when, listening to the petitions of the people, they would give their sanction to a measure, the effect of which would be to, unite the kingdom, from one end of it to the other, in one feeling of concord and harmony.

Mr. *Pemberton* said, that if upon this momentous question the most experienced and respected Members of the House found it necessary to apologize for claiming its attention, it was impossible that he could presume to do so without asking for their utmost indulgence. In contemplating the question as it now stood before them, he thought it impossible that any mind could fail to be astonished at the course which had been taken by the proposers and the supporters of this Bill. When such an unexampled change in the institutions of a country was proposed to be made, it appeared to him to be a natural and unavoidable duty of those who proposed it, in the first place, to point out the defects in the old system, which constituted the necessity of the change, and then to shew in what manner the defects of the old system would be corrected and removed by the new one. In the course of the debate upon this measure, they had, indeed, heard much of corruption, of close boroughs, and of the scandal of Peers nominating the Members of that House; but of how those abuses and those scandals were to be remedied by the Bill they had heard just nothing. They were told that there were places with a large number of inhabitants without Representatives, while smaller places with few inhabitants returned Members to Parliament. Now, he could understand this as a grievance if the only object of the Representation was that of numbers, and if property, intelligence, and the common interests of the mass of society were not entitled or intended to be represented in the House of Commons. But if the latter were the legitimate objects of Representation, then he would say, let any man look round that assembly and tell him what class in the community was not represented by some of its Members? Was it the agricultural, the commercial, the manufacturing, the colonial, the military, the naval, or the professional? or were they not all in some way, or through some competent organ or efficient channel, represented or protected? He would ask what individual was there, not only in this country, but in the almost boundless empire which she has extended to the remotest parts of the world—what individual was there, to the lowest bondsman, down to the negro slave, who, if he had a complaint to make, real or imaginary, would not find in that House a hundred tongues ready to give it utterance, and make it heard? If such, then, had been the practical working of the system which had been so long established in the country, if all these good effects had been produced by its operation, was it wise, he would ask, that they should look too curiously into the machine, with a view of detecting imperfections in the construction? And if this had been the result of the old system, what was to be expected from the new? Could it be expected that two systems, one professing to be the opposite to the other, could produce the same effects? Could they reasonably expect that the same varied provision for all the diversified interests and wants of the community which had been found to arise from their system of anomalies, as it had been called, would also arise, as the emergencies or enterprise of the country demanded them, from this system, based on the dullest uniformity? And if a change so extensive, and at least capable of leading to the most disastrous consequences, were to be adopted at all, was it to be at a time when the whole of continental Europe was convulsed, and when the ground was rocking under our feet in our own island? As he understood it, an ostensible principle of the Bill was, that the Representation should be placed in the hands of two opposing classes, and in two only—the manufacturing and the agricultural. He understood it to be the expectation of the movers of the Bill, that in towns as in counties the Members returned should be the Representatives of the places with which they were locally connected. This would have the effect, then, of throwing the Representation into the possession of the landed and manufacturing interests, to the exclusion of all others. Those classes might be satisfied with such a system; but what would be the ultimate feeling of other parties when they found themselves deprived of the benefits which they had derived from the Constitution? He would ask the hon. Alderman, the member for the city of London—and he had a great respect for the members for the City—he would ask the hon. Member, whether even he would think it well that the House of Commons should be composed exclusively of aldermen. It had been said, and in his mind justly, that the tendency of the Bill was to disturb the balance of power in the different branches of the Legislature. Control was the essence of Government; and there was too much reason to doubt that, if the people, merely because it had been suggested strongly to them by particular parties in politics to make a demand for a particular concession, were to be always indulged, any man would be found hereafter to guide with firmness the helm of the State. Little might be anticipated from the labours of any Legislature which, like that to be formed under the Reform Bill, must be so tremblingly alive to the wishes and the will of their constituents. Wretched indeed must be that Government which could not distinguish between the will of the people and the clamour of the mob. It had been well observed—

"E'en nations sink by darling schemes depressed."

But it was said, that the balance of the Constitution had already been destroyed by the increased influence of the aristocracy. This was asserted; but what proof was adduced in support of this assertion? The House would well remember the time when nothing was more common than to hear of the increasing influence of the Crown in that House. Only a few years had passed since they adopted a very memorable resolution upon the subject, and within a very few years it was very much the fashion to attribute many evils to the same cause. But what was the fact now? In the whole of these protracted debates, in the course of which many extreme and exaggerated opinions had, no doubt, been expressed on both sides, not one man had been found bold or extravagant enough to assert, that the influence of the Crown was now increasing. And so it was of the aristocracy. What man would be found to say in the face of the late elections that the aristocratic power in that House was becoming dangerous to the Constitution? He should like to know whether it would be said that the aristocracy of the country were favourable to the measure in the same proportion as the Members of that House? Let that question be answered by the Members for the universities, who might be said, emphatically, to represent the education and the intelligence of the country. Were they, or even a majority of them, in favour of the measure? How then was the aristocracy to have its just influence upon the legislation of the country? Was it in a House of Peers, which was not to be allowed to exercise an unbiassed judgment of its own without being threatened to be borne down by popular violence? He was not blind to some defects—he should perhaps rather call them eye-sores—in the Constitution. But he would rather keep that Constitution, with all its theoretic defects and all its practical blessings, than cast it away to gamble for a new one in the lottery of revolutions. Amongst the means which had been adopted with a view to influence the decision of that House, there was one which he had heard addressed to them with humiliation and shame, and it was this:—They had been told that, be the measure what it might, good or bad, they must pass it, for fear of the danger which would attend its rejection. With shame and humiliation he had known a British House of Commons submit to hear such a proposition. They were told that they must pass a law, even of which their consciences might disapprove, in the terror of what might be done by guilty men capable of committing violence upon the established laws and institutions of the country, or by the far guiltier, who were capable of inciting others to violence which they dared not themselves to commit. But was this all the danger of which they might incur a risk? Were those who called upon them to avoid the danger of rejecting this Bill prepared to guarantee them against the danger that would arise from the passing of the Bill, after the people had found how cruelly it had disappointed the hopes and expectations which its authors had taught them to cherish? From it they expected to be relieved from the payment of taxes, to have the price of bread much reduced by the repeal of the Corn-laws, and to be released from the burthen of tithes, besides other disagreeable engagements which they might understand according to their own convenience and circumstances. What, then, was to guard the House against a re-action of public feeling when the people found that these things did not happen, and which he knew could not happen, unless all the pledges solemnly given to that House by his Majesty's Government should first be violated? And if those pledges were violated, and the property of the Church suffered to be invaded, then the next step in the career of Reform would be the plunder of the funds. He believed, however, that his Majesty's Ministers would keep their pledges, that they would do their duty, and resist the completion of that which they had begun. But the moment they should stop in their course, what would be the consequence? That moment they would cease to be leaders. That moment those who now swelled the ranks of his Majesty's Ministers, those upon whose support this measure would have been carried, would go forward in the course, of which they had declared the measure to be a step. And then, in the same spirit of terror, the House would be called upon to concede Universal Suffrage, which would then mean universal plunder. Then his Majesty's present Ministers would no doubt exchange places with them (the Opposition), and attempt to stand in the breach which they themselves had made against as desperate a crew as ever rushed to crime and rapine over ruined thrones and desecrated altars. Believing as he did, that these must be the ultimate results of the course on which the Government had embarked, he could not in his conscience consent to the means they had proposed for reforming the Representation in that House; and if in the means he saw objections of so powerful a nature, there was certainly nothing in the times which they had chosen calculated to reconcile the change to his mind. He would not go further into the subject, or enter at all into its details, at that late stage. The fatal decree had gone forth as far as that House had the power to declare it; but there was another place in which the rights and the institutions of the country had ever found their dauntless and unflexible defenders. "And if," continued the hon. and learned Gentleman, "the Barons of England inherit with their titles the spirit of their forefathers—they will dare to tell their Sovereign and the people that they will not have the laws of England changed. Upon that hope we now rely; but if that hope fails us, and this mighty change in the Constitution shall be effected, then, when they shall witness the unhappy accomplishments of their predictions, it will be at least the consolation of those who have opposed this measure, through a contest of unexampled difficulty, in the face of an overwhelming majority within the walls of this House, and in spite of the taunts and reproaches which have been heaped upon them from without—then it will be their proud and lasting consolation that they stood up for the interests of the Crown and of the people in the last House of Commons that was ever assembled in England."

Lord *Newark* said, that during the progress of this Bill through the Committee, he for one had too earnestly desired its success to interfere with any observations, except upon the single clause in which he was particularly interested; but now that it had reached its present final stage, he wished to say a few words upon the history of the last eight weeks. Gentlemen need not be afraid of his troubling them at any length, he should scarcely even allow himself to be tempted to go into the principle of the Bill. What language was it that the supporters of the Bill were met with at the commencement of these proceedings? They were told, that a measure of this momentous character could never be fitly debated, or fairly settled, in a Parliament of which a majority was alleged to have entered this House bound hand and foot to the Bill, and nothing but the Bill. And now were they not told, that these very majorities had so cut down, and changed, and maltreated the measure, that its best friends could scarcely recognize it again? He agreed with neither of these assertions; he utterly dissented from both; but he asked, whether the one did not afford a complete refutation of the other? They were told, that they ought to hear counsel for Appleby, for that otherwise foul wrong would be done to a set of innocent boroughs, if their fate were to depend upon the caprice of the Government, and if such a mass of venerable Representation was suffered to die unheard; had it died unheard—had this supposed caprice of Government carried all blindly before it? or had not nineteen alterations been allowed to be made in the original schedules of A and B? They were told, that in the conduct of the disfranchisement part of the Bill, his Majesty's Government had done a monstrous thing, by taking a census long gone by, and legislating in 1831 upon the standard of 1821. Now, what said the Returns? From them it appeared, that if the census of 1831 had been taken as the guide, seven boroughs might have been saved out of ninety-seven—seven boroughs, whose total amount of assessed taxes in 1830 did not exceed one-seventh of that paid by one single borough in schedule D. They might have saved, then, these seven boroughs. They might have saved them, perhaps, at the expense of seven populous and wealthy towns: but he asked whether, if they had so saved them, they should have gained anything on the score of consistency or expediency? and whether, by so saving them, they should have adhered more closely than they now had to the preamble and spirit of the Bill? They were told, when they came to the question of enfranchisement, that it was monstrous so to adjust the Representation as to overpower the southern division of England with the new and overwhelming weight given to the northern. The House can hardly have forgotten how, at the commencement of schedule B, now some weeks ago, the evening's entertainment was ushered in by the right hon. Baronet, the member for Tamworth, with a lecture on the map, in which he divided England, with considerable ceremony, into two great portions, and sounded on the map the loud note of alarm to the southern district, and proclaimed to the agricultural interest of England, that, by this Bill, it would be utterly sacrificed to the manufacturing interest. The right hon. Baronet's proposition he well remembered was this—"that this Bill gave an immense preponderance to the northern, or manufacturing district, and greatly and unduly lessened the weight and importance of the southern district, which comprised the chief agricultural counties of England." Now he (Lord Newark) must confess, that the solemnity of the right hon. Baronet's address, and his appeal to the fears and sympathies of the ill-used and soon to be overwhelmed southern district, powerfully arrested his attention. He would not say, that it gave him any qualms for schedule B, upon which they were then on the point of entering; and he could not say, that it excited in his mind any of those regrets for schedule A, with which the speech of the right hon. Baronet himself overflowed; but though it did not produce exactly these effects, still he could not hear this monstrous and undue preponderance asserted by such high authority, without feeling a disposition to inquire a little how the fact really stood, and whether his Majesty's Ministers had indeed so unskilfully trimmed the balance as to sacrifice the southern to the northern district of England. Now, how stood the facts with respect to this terrible preponderance, as proposed by the Bill? He was not going to enter into any details; but he would state to the House, in a few words, how the fact did stand. The right hon. Baronet had divided England, as far as his division goes, fairly enough; in his northern division he had eighteen counties to twenty-two in the southern; and upon a comparison of these two divisions by the three several tests of extent, population, and wealth, it appeared that the northern division was to the southern, in extent, as twenty-four to twenty-six; in population, as about five-and-a-half to six; and in wealth, as about twenty-three to twenty-eight. He (Lord Newark) was aware, that the valuation of 1815, from which the comparison as to wealth had been taken could not be called a very sure guide for 1831; but the House would recollect, that the present question was not one of aggregate amount, but of proportion only—of proportion between these two great divisions of the country; and he thought it would be admitted, either that the increase of wealth in these two great divisions, since 1815, had preserved the same proportion as then existed; or else, that if either of these two divisions had increased in wealth in a greater ratio than the other, it was the northern or manufacturing district which had done so, rather than the southern or agricultural: in which case it would have so much the better title to a preponderance of Members. Here, then, they had the three tests—extent, population, and wealth. In extent, the northern was to the southern as twenty-four to twenty-six; in population, as five-and-a-half to six; and in wealth, as twenty-three to twenty-eight. They had only to apply these facts to the proposed adjustment of the Representation, and they would see what would become of the right hon. Baronet's "terrible preponderance." It appeared, then, that the Bill gave to the northern division 196 Members—viz. sixty-seven county, and 129 borough Members; and that it gave to the southern 248 Members—viz. seventy-seven county, and 171 borough Members. Now, with these facts before them, he asked, what became of the monstrous preponderance of the northern division? So far from there being any preponderance at all in favour of the north, the fact was, that the southern division had seventeen or eighteen more Members allotted to it than it would be entitled to, either in proportion to its extent, population, or wealth; and, to make the thing perfect, they only wanted some Gentleman to get up on behalf of the northern district, and complain of the undue favour shown to the southern by the allotment to it of these seventeen Members more than its just and fair proportion. There would be this difference then, that if any Gentleman did so, the facts of the case would bear him out. He begged pardon of the House for having been tempted to enter into these details, but he must plead this as an excuse, that any assertion coming from the right hon. Baronet carried with it such high authority as to make him (Lord Newark) anxious, that those whose attention might not happen to have been directed to this part of the subject, should not be misled by that high authority. Then next came the division of counties, the project for colonial Representation and the motion to admit tenants-at-will to vote. Upon the two former of these questions the cloven foot of opposition peeped out in rather an amusing way. The division of counties—rather a conservative enactment one should have thought—was opposed, might and main, by two great legal authorities, the declared and strenuous advocates of the influence of property and the nomination system; and the project for direct Representation for the colonies was, on the other hand, supported by a long string, not of Reformers, but of the very able and consistent Anti-reforming advocates of virtual Representation. Now, one word upon this subject of the colonies. He should be glad to know whether it was by schedules A and B that they had been hitherto represented? He believed, upon inquiry, it would be found, certainly not in a great measure—and if so, why then what became of the great, and serious, and novel difficulty which this Bill was to create in that respect? He had a list of Members connected with the colonies who sat in the last Parliament, which, perhaps, it was better to take than the present, since it could not be said that they were elected under any circumstances of excitement, which might have had the effect of making the return of persons so connected less probable. They had, clear of either schedule, and wholly independent of A or B, the Members for Bucks, Sandwich, Rochester, Cricklade, Dumfries, Bridgewater, Wexford borough, and perhaps they might add Bristol and Kirkcudbright; whilst in A and B together, Hythe, Old Sarum, and Malmesbury, were the only instances, as far as he was aware. He thought this simple fact outweighed a good many of those denunciations against the Bill which were founded upon the supposed forlorn and unprovided condition of the colonies under the proposed system. Of the great features of the Bill, there was one which he had left unnoticed—the 10*l.* franchise. Did hon. Gentlemen recollect the cry with which this 10*l.* franchise was received when first brought forward? He perfectly remembered they heard of nothing but its dangerous uniformity, the perils of a centralization of power, and the fatal error of lodging the entire political control of the State in the hands of a single class. This was what they said at a distance, and this did for some time; but when these clauses came to be discussed, what then? Why, the alleged uniformity became a detected fallacy, and with infinite promptitude they gave it up, and turned round upon them (the Reform party) for creating, as they said, Universal Suffrage in one place, and a close corporation of ten-pounders in another. As a looker-on he could not but admire these tactics: as a well-wisher of Reform, he might be permitted to turn them to account. And now, in this eleventh hour, as it had been called, of the struggle, all he would ask of his opponents was, to apply this versatility which they had shown in objecting to the details, to their final consideration of the measure as a whole. Let them acknowledge, though in another form, their own dear conservative principle as the genius that has presided over this Bill; let them point to their victory recently gained (short-sighted as he thought the proposition was, upon which that victory was founded), but let them point to that victory, as a proof that the voice of the landowners was not utterly powerless in that House, and that the power of dictation will not perhaps be quite extinct in the country—let them cease to make common cause with the pot-wallopers; and may that victory revive their sinking hopes of a continuance of the monarchy! But let Reformers recollect, that the great advantage they have gained was, that in meeting henceforward the demands of the unreasonable part of the community, they would be able, if this Bill passed, to appeal to the reasonable. Could they do this before, with such abuses staring them in the face, and forcing as it were, the well-disposed alike and the ill-disposed part of the people into an unnatural combination against a power governing by such means? But now they would be able to make this appeal, for they would have ground to take, that was maintainable by reason; and he trusted they would maintain it. It was this paramount consideration, and no vague desire of change, no love for any set of men, but a wish to get the sound part of society on their side against the unsound—this it was, he could truly say, that had made him a Reformer.

Sir *John Malcolm:* If they who are in the frequent habit of addressing the House with so much eloquence feel it necessary, on rising on such an occasion, to appeal to its indulgence in discussing this subject, how much more necessary must it be for me to do so, who am unpractised in debate, and little in the habit of addressing this or any other public assembly. I present myself to the House, therefore, with no other recommendation than that which attaches to one who endeavours in plain words to express what he feels deeply and sincerely. Art and eloquence form no part of my oratory; but notwithstanding, I shall never hesitate to address the House whenever the interests of those with whom I have been connected during the greater part of an active life, are involved in any question before it. The subject of the Representation of India, has been frequently mentioned by me in the course of the debate on this question of Reform, and I had it in contemplation to have brought forward a specific motion upon it, and should have done so had I not clearly seen there was no hope of success—and I am not one of those who, in the absence of all prospect of attaining their object, can derive any gratification from embarrassing the House or creating delay. But I must be anxious to express, and to place on record at this moment, my sentiments upon points which possess, in my mind, an importance not inferior to any that have engaged the attention of this House. Sir, the effect of the demolition of the present system of Representation, will be, in many respects, injurious to the great empire of India. It cannot be doubted, that when the change which Ministers propose has been effected, it will be next to impossible for those who have attained a knowledge of that empire, by actual residence in it, to find a way into this House as they have done hitherto: conceiving, however, from what occurred on a former occasion, that it is useless to make any attempt to induce Ministers to supply the defect at this period, I can only recommend it to their future and most serious attention. I intended to trouble the House with few, if any, observations upon the character of the great measure it is now proposed to pass. But the observations of the noble Lord, the member for Yorkshire, and some others, on the present occasion, require me to say something on the part I have taken in the discussions on this Bill. I have had no desire—nor have I seen any desire in others—to create delay by an eternity of debate. I assure the House that, from first to last, I have acted upon grounds which I honestly and conscientiously felt to be just; and I must say, that the opinions which I formerly expressed upon the measure have been confirmed by all that I have heard during its progress. I admit that change in the existing system of our Representation, in some degree, is required; but I tremble—I can use no other word—at the extent to which this change is proposed to be carried. The experience of my life has made me fear to speculate with the destinies of any country—and above all, with the destinies of my own, on the condition of which, at this epoch, the fate of Europe depends. I cannot but think that the warmest advocates of this measure must be of opinion with me, that if ever there was a period in the history of England, or of the civilized world, at which it was necessary to avoid any proceedings calculated to diminish the security, or withdraw the protection, necessary to guard the various interests of the State, the present is that period. The accumulation of property in this country, which, though greater here than in any other in the world, is also more widely and more generally distributed, comes not from the favour of Sovereigns, and is not gained by means that injure others. Those means by which individuals in England are enriched benefit the State. Wealth, and great wealth, is attained by inventive genius—by talent—by superior industry and perseverance—and by commercial enterprise. With regard to the Aristocracy of England—against which, as well as masses of property, as a misleading Press terms them, I am sorry to see that a feeling of hostility exists in some quarters—it is unlike that of any country in the world. It is of no caste—men of all ranks, even the lowest, may fairly aspire to enter this high grade through services in the navy or army, through the law or other channels, or by the attainment of property to an amount that gives them a consequence in the community which entitles them to be so elevated. At present, Sir, all the institutions of the country are framed to protect this order of things. In short, as there is no man in the country by whom property and rank may not be attained, so there is no man to whom they are not secured. What more can be desired in any civilized nation in the universe? That defects exist, which it may be possible to remedy, no one can attempt to deny; but I maintain that, if ever there was a moment at which it was necessary to make the remedy for those defects as moderate as possible, lest it should endanger that to which it professes to give additional security, this is that moment, for all the civilized world is convulsed, and danger threatens in every quarter. These are the sentiments and impressions by which I have been actuated throughout the whole of the discussion on this Bill, and which have induced me—although I admit that many of its provisions may be good—to resist it, on the whole, as a measure which I think most hazardous to the peace and prosperity of my country. The prevailing discontent which, in the course of the debates on this question, has been so frequently alluded to, has, in my opinion, been directed to objects which it is the duty of those in power to defend and uphold, not for their own sakes only, but for the sake of the people themselves; and, when I say the people, I mean all ranks and classes of the people, high and low. Should this Bill be carried, that discontent will not, I am convinced, be diminished, because it will disappoint the hopes which it has raised, and which I am sure it can never realize. The noble Lord, the member for Yorkshire, has commented strongly on the fallacious hope entertained on this side of the House, of a re-action of opinion among the people regarding this Bill. I am not one of those who build much on such a feeling. The re-action I expect and dread is, when this Bill comes into operation—when all the excited and cherished anticipations of those who have so loudly clamoured for its adoption will end in disappointment. Why will the people be disappointed? Because the Bill will bring with it none of those benefits which a great proportion of them anticipated. Besides, they cannot understand the Bill in its various details; and these in so large a measure, and one so dependent for success on working well, are more important than the principle. No man can understand this Bill; the most eminent lawyers in the House have differed upon the meaning, as well as probable operation, of its details every night. Ministers themselves, seem, from their frequent alterations and amendments, not clearly to comprehend them; and, as for myself, I fairly confess my own utter incapacity to understand many points of this Bill. That a change, and a great change, will be effected by it, every one must perceive; but it is precisely that change which I fear. My hon. and learned friend who opened this debate spoke of sects. This Bill, in my opinion, besides other aids, has that of a sect, which I must denominate "political puritans," who expect, that this measure will work a miraculous change, among other wonders, in the nature and character of those for whose benefit it is intended—that a constituency of 20,000, including voters paying only 3*s*. 10*d*, a-week for lodgings, will be free, independent and virtuous; and that, on giving their votes, the good of their country will be the leading motive. They who maintain such opinions make no allowance for the interests, the feelings, and the passions of men; but I must state, in opposition to such a creed, my firm conviction, that this and every measure must fail where these are not made a primary consideration. The noble Lord, the member for Yorkshire, has said, that this Bill has one remarkable feature—that it provides well for the Representation of all the large and leading interests of the country. Now, I deny that fact. There is not a larger or a more leading interest connected with this country, than that of the great empire of India, and yet this Bill does not provide for its Representation by one single individual competent to the task. However, I do not now wish to press the subject of Indian Representation in such a manner as to assume the appearance of an attack upon this Bill. My only object, in coming forward on this occasion, is, to discharge the duty which I feel I owe, not only to the large body of people with whom I have been so long connected in our eastern dominions, but to my country; for in advocating the interests of India, I advocate many of the largest and most substantial interests of England. In order to obtain aid in the protection of these interests, I must say, that if this Bill should pass into a law, a measure must hereafter be proposed for the purpose of giving to this House some Members who are competent to give it information, opinions, and aid, on all subjects connected with India. I am, Sir, one of those Anti-reform Members who have been alluded to as supporting the proposition of the hon. member for Middlesex, for giving Representatives to the colonies; but although I concurred with him in the principle of his motion, I differed entirely from him (so far as our eastern possessions were concerned) with respect to its details. India cannot be classified with the colonies—it has not one feature in common with them—it is a subject empire—it stands alone; and its unequalled extent, wealth, and population, demand for it the most serious, and the most careful consideration, on its own distinct grounds. Viewing the character and condition of this empire as I do, I consider it impossible that a constituent body can, in any shape whatever, be formed—at least within any probable period of time—to return Members to this House; and principally for this reason—that its population have not freedom, nor are they yet in a state, moral or political, to understand or enjoy its benefits. A proposition of the nature of that brought forward by the hon. member for Middlesex, is not, therefore, applicable to India; because it would have the effect of giving the elective franchise to a portion of 1,000,000 only out of 80,000,000, and would leave the remaining 79,000,000 in the same situation as at present, without any voice in the British Legislature. But I shall not dwell upon this proposition. When the inhabitants of India are in a state to claim freedom, its first exercise will be to dispense with their foreign rulers; and with regard to any plan for the constituency at the Presidencies, I have shown before how separated their inhabitants are in habits, character, and opinions, from those of the interior provinces whose sentiments they could never speak, and whose interests they could never represent. The hon. Member for Middlesex, on a former occasion, made some observations well worthy of the most serious consideration of this House, and the more so as being the sentiments of a sincere friend to this Bill of Reform. I consider the hon. Member to have stated in effect:—"One of the greatest and most striking objections to this Bill is, that when it comes into operation, the same means will not exist for enabling gentlemen connected with the colonies to obtain seats." The noble Lord, the Chancellor of the Exchequer, before admitted the force of this objection as relating to India. I must, before I offer any suggestion to his Majesty's Ministers, state the data upon which my plan is grounded. There are employed in the public service in India—

Civilians	930
Military	5,562
Total, without the Officers of his Majesty's regiments, ..	6,492
Lawyers, Merchants, and European inhabitants	2077

The whole of the civil branch of this immense country is administered by less than 1,000 public officers. The annual export of mind, if I may use such a term to an empire governed through a commercial company, is, of all classes, nearly 500. These are all liberally educated, and some are obliged to undergo very strict examinations before they proceed to India, and the regulations of the service abroad compel them to attain competence before they can succeed to high stations. The cases of return of all the classes I have named from India, is, on an average, between forty and fifty annually. Civil and military officers seldom return under a period of twenty-two years (during which they are allowed three years' furlough), as they are then entitled to their pensions, on which, and the small additional means they may have acquired (for I have before said, the race of nabobs is extinct), they settle themselves in their own country in the enjoyment of competence: but almost all, including those of the highest talent, and most active and enlightened minds, seeing the doors of ambition closed upon them, will lapse into idleness, and the country will lose the benefit of that information and ability which are essential to the good Government of India. This remark applies to all classes in India, but more particularly to those persons whose high duties have protracted their residence abroad, till they have lost that connexion and influence in their native country which might entitle them to enter into public life here, on their return. Of public officers in India, it may be asserted, that there are at least 100 filling the highest situations of confidence and authority in the civil, political, and judicial lines of the service—some aiding in the councils, if they do not hold the reins of government—others having the sole administration, I will not say of provinces, but of kingdoms. These possess all the information which could be required as to the state of our eastern empire; many of them are endowed with a large share of talent, knowledge, and judgment; and, as individuals, when they return to England, are qualified beyond all others, to aid in promoting the true interests of their country, by pointing out the mode in which the feelings of affection and confidence in the minds of the people of India may be best cherished and preserved. But unless the rays of royal favour reach those who have distinguished themselves in India, as they have done with the happiest effect since the Order of the Bath was instituted—unless able men, who distinguish themselves in the civil and political line, be rewarded, as well as the military—ambition will not be excited: and unless persons of superior character and attainments are stimulated by every motive to keep alive in a distant land their love of their country, and to cherish hopes of future distinction, you will destroy a spirit to which you must be indebted for most efficient aid, if you desire to continue in prosperity the vast possessions subject to British rule in India. It is sometimes said, that there are not in India men qualified to become the Representatives of that empire in the British Parliament. I say, search the market, and you will have a supply—and, I will add, an ample and a rich supply;—but there are other considerations at the present moment that require every care and notice. You must give encouragement to the public servants in India:—measures of economy recently adopted have greatly diminished their prospects of acquiring fortune. When one powerful motive to action is taken away from the human mind, another must be given, if we expect to stimulate men to useful and great exertions. I myself was an instrument in carrying into effect some of the recent reductions which have been made—I willingly sacrificed my local popularity at the shrine of my duty;—but at that very time I gave the suffering parties the hope that their case would meet with attention; and I told them, that if ever I obtained a seat in the British Parliament I would become their advocate. This promise I shall faithfully fulfil, and while I have a seat in this House (which may not be long) I shall lose no opportunity in bringing their claims under notice. Sir, I regret much that no Indian budget is now brought forward: except on the occurrence of war, or some such other great event, India is never mentioned in this House: nothing can be more depressing to those who have served their country abroad. The plan I mean to suggest will, in some degree, remedy this evil. Representatives of the Indian interests in this House will give and collect information: they will be at times an aid, and at others a proper and constitutional check upon his Majesty's Ministers and the Court of Directors. An hon. Baronet, the member for Westminster, on a former occasion when this subject was mentioned, spoke of the nabob of Arcot's Members sitting in this House. Had the hon. Baronet, whom I am glad to see in his place, followed the history of India with the same attention that he doubtless has that of his own country, he would have been aware, that he might as well have recurred to the times of Queen Elizabeth for precedents upon which to frame the Bill of Reform; for certainly England has not changed more within the last 200 years than, I am happy to say, India has within the last fifty. I should have deemed the measure I mean to suggest expedient, had the present Bill not been brought forward;—for, the recent increase of our dominions in India, the rapid intercourse which is likely to be established with that country, combined with other causes, demand our employment of every possible means for its good government; but I should have hesitated, lest I might be accused of injuring by innovation the long-established fabric of the Constitution—but now, when the mansion is cast down, and a new one is to be built of raw and untried materials, and of which the frame is so constructed, that the door of entrance for Members who have a knowledge of India, which was before sufficiently narrow, is now almost wholly closed,—what was expedient has become urgent:—but I shall now request the attention of the House to some details. [*Calls of "Question, question!"*] I am not surprised that those who cry "question," and who have shewn, by similar impatience on former occasions, how little interest they take in the concerns of their own country, should be indifferent to those of India. But as it is probable that they, even, may have relations and friends who must be deeply interested in anything that we do upon such a subject as that now under our consideration, I think upon that ground, if upon no other, it would be becoming these Gentlemen at least to favour us with their silence if not with their attention. My friend, the hon. Baronet, the member for Malmesbury (Sir Charles Forbes) said justly, that when five months were given to discussions about what he deemed a dangerous change in the Representation of the counties, the towns, and the boroughs of England, it was hard not to give five minutes to questions involving the peace and prosperity of the empire of India:—but I shall proceed, and I trust without further interruption, to recommend, for I do not intend to submit any motion, a plan to the consideration of his Majesty's Ministers for the representation of the interests of India. I should deem twelve years' residence in India a necessary qualification to entitle an individual to exercise the functions of a Representative, because, after that period he is, if a civil servant, by law eligible to be of the council, and consequently, may be supposed to have had sufficient opportunity of acquiring competent information and knowledge of India. This period may appear long, when applied to lawyers and commercial men of eminence who might be candidates, but the object is specific, and the qualification is adapted to it;—such persons, if in India for a shorter period, would not have broken those ties of family interests and links of connexion with friends which would enable them to enter Parliament through other channels. I would recommend that the constituency should be formed of the proprietors of the East India Company, the male part of which (I am sorry to exclude the ladies) consists of about 2,000 individuals, none of whom can possibly have less than 100*l.* a year, and who, I believe, on the whole, would be found to average at least from 400*l.* to 500*l.* a year. This, too, I will venture to say, that a more independent class of men, or a body more generally free from party and prejudiced feelings could not be found. The stake they have in the prosperity of India is a pledge of their honest performance of this duty. Their election of gentlemen as Directors of the India Company affords a proof of their competence to this duty; and I can affirm on my own observation, that with scarcely a single exception, those who have been distinguished by their personal knowledge of India, from long residence in that country, and by the character they have established, have always, when they came forward to stand for the direction, been welcomed and elected in preference to any others. Within the last twenty-five years I have, indeed, known four or five instances in which persons of the highest respectability have canvassed for the office of a Director of the East-India Company; and, although their general qualifications were admitted by every one, still, on the return of individuals from India who had filled high and responsible situations there, and who, by their conduct, had gained the confidence of the people of that country, the proprietors have elected them to the exclusion of those who, as far as respectability, wealth, and general intelligence could go, were eminently qualified for the situation which it was their ambition to attain. If I state, that there is, generally speaking, in this House considerable ignorance of Indian affairs, I mean that term neither in an offensive nor reproachful sense. It cannot be otherwise, for it is quite impossible to expect that many Members should devote so much of their time as is necessary to a thorough knowledge of such a subject;—the obstructions at the very door of which are sufficient to deter most persons from entering upon its study;—but this ignorance has, I fear, led to an erroneous impression in many, that Members brought into Parliament in this way would become the invariable supporters, either of the Government of the day, or of this or that particular political party. I can assure the House, from the most perfect knowledge of the general character of those who would be candidates, that there never was a greater mistake. If a doubt exists upon the point, let the House refer to the printed documents which have been published by some of the able servants of the Company, and they will find, that men of greater talent or higher independence could not be produced, as Members of the British Parliament. My hon. friend, the member for Middlesex, proposed that four Members should be elected for all India, and I should deem that number sufficient. It would not be a question of Members which would determine the merits of this plan; for it is a proposition unconnected with party objects. It would, while it preserved the public interests, animate and stimulate to exertion a great body of individuals, who, though often exiles for a long period from their country, are as warmly attached to it as those who have never quitted its shores. I put it to the noble Lord, the Chancellor of the Exchequer, as a suggestion worthy of his attention, and the more so, when we consider the increased power and the greater action of popular influence on the House of Commons, which must ensue should this Bill pass into a law. The present rapid and easier intercourse between this country and her possessions in India, will, in many respects, be beneficial;—but I regret to say, we may, through the same means, expect more frequent misrepresentation of men and measures from that part of the empire than we have hitherto had; and it is, in my view, absolutely necessary, that persons of knowledge and character, connected with that country, should have an honourable path to this House, in order that we may have one essential means, beyond what we at present possess, to defend the rights and interests of either the governments or the inhabitants of India, should one or other of them be assailed. I should propose, in addition to what I have stated, that the qualification of a candidate should be limited to seven years' residence here, after the return of the individual from India; because that period, I imagine, would be amply sufficient, unless he were indifferent to the matter; and then, besides losing that freshness of knowledge which recommended him, he would probably have settled in England, formed his own connexions, and attained a seat, if he engaged in politics, through means that so long a period would have enabled him to create. There is another consideration, which, in my opinion, calls for particular attention. The moment that the Reform Bill passes, a stimulant will be given to that passion for rash interference with the details of the administration of India, which, from the petitions that have been laid on the Table of this House; from the evidence which has been adduced before its Committees; from all that I have seen and known, for the last twenty-five years of my life—it is obvious is growing up in this country, and which will, when allied to a growing spirit in the Presidencies, be found most difficult to check or control. Schemes of change of system, and innovations on actual establishments will be brought forward; and while honourable and able men, through this Bill, will be denied an open and plain path, another road, more crooked, but leading to the same object, will be within the reach of those, who, from real conviction of personal views, delude cities and towns with crude statements, and deceive them, being perhaps deceived themselves, with promises and hopes of golden harvests in the rich field of India beyond what can ever be realized. This party will of necessity, from the nature of its objects, carry on a party war with the existing Government. I have not the least doubt but that Ministers will be perfectly disposed, perfectly willing, not only now, but hereafter, to defend India as a portion of the empire; but I do doubt, and I must continue to doubt, their power to do so, unless they avail themselves of every aid, and among others I know none more essential than the having in this House a few persons of high and established character, who are acquainted with the history, the government, and the general interests of India, and can speak with the confidence of personal knowledge and observation upon all subjects connected with it. I shall conclude, therefore, with stating, that if this Bill should pass into a law, I do hope this defect will be remedied : if not, I shall deem it a duty to continue to press upon his Majesty's Ministers the necessity of a measure, which, while it will constitute a salutary check on abuses, may, in its consequences, produce that essential ingredient of publicity, without which there can be no good government, and least of all such a government as British India. It will force men who exercise power and influence in Indian affairs to make more frequent statements, and give more explanations than they now do to this House and the public; and this result will entirely remedy that neglect, and almost looked-for indifference with which every question relating to our eastern empire is now treated; but, above all, it will call into action the energy, the intelligence, information, and talent of gentlemen returning from that empire. If these no longer bring gold, as formerly, from that far-famed land, they bring a practised virtue and ability that will prove more beneficial to their country. Open the field to their ambition, and you will have a rich harvest; — close it — and, under the operation of this Bill, you have added to the dangers with which we are threatened at home, a very serious one to the future prosperity of British India.

Mr. *John Williams* said, the hon. member for Cockermouth (Sir James Scarlett), and the hon. member for Rye (Mr. Pemberton), had entered into very comprehensive panegyrics upon the British Constitution in all its parts—its jurisprudence, its representative system, and he knew not what. His hon. friend, the member for Cockermouth, had asked, where was the precedent upon which they could lay their finger, and what part of the Constitution of our ancestors was it that justified the present measure? But he would ask, amongst all the panegyrics the hon. Member had selected, and amongst the historical writers and foreign jurists to whom he had appealed, where was the writer who had said, that the British Constitution had carefully provided for the return of Members to Parliament from places where there were no constituents, and had avoided places where there was an abundant population? Where was it stated, as an ingredient in the praise bestowed by Blackstone, Montesquieu, and De Lolme, upon the British Constitution, that it carefully provided for the exclusion of Representatives for places having an abundant population? on the contrary, their recommendation of the system of returning the House of Commons was, that it was the express image of the people, and that it spoke the feelings and very voice of the Commons of England. Had his hon. friend forgotten what was said by Mr. Pitt, when a Minister, upon this subject? "Those Gentlemen," said he, "who dwell so much upon the theory and principle of the Constitution, would do well to bear in mind that the excellence of the English Constitution is, that it has been a continued series of changes." What was the stationary point upon which his hon. friend would rely? To what period could he refer for that beautiful state of the Constitution when it required no change? To suppose that there ever was such a time, was to satirize the wisdom of our ancestors, and to make blockheads of them. His hon. and learned friends might be enamoured of the present state of the British Constitution; but what was the opinion of the people? It was contended, indeed, that the enthusiasm of the people for this measure was worn away; he could, however, assure his hon. and learned friend, that the better part of that enthusiasm still existed, and that the country had in nowise flagged in its desire to see the provisions of that Bill the authorized law of the land. It might be very true that his hon. and learned friends were in love with the Constitution of England as it stood; but, at least, they should not take upon themselves to pronounce the opinion of the people of England to be the same, till they were ready to bring forward their proofs in support of that asseveration. When they assumed that this was the case, they were begging the whole question—a question which he thought would, upon proper investigation, turn out to be exactly the opposite way. If this was a change merely for the sake of change—if his Majesty's Ministers had had the option of the time at which they would bring forward this Reform measure, the question would have been different; but this was not so; they had, on coming into power, found, that Reform was the general demand of the country, and that no Administration could hope to stand for a day, that was not ready to concede to that demand. But again, it was said, that less might have been done in answer to that demand. This again he denied. To propose a plan that would give satisfaction to all was out of the power of any human being; and, as, on the one hand, the Anti-reformers were dissatisfied with this measure, because it went too far, so, on the other, those that inclined to republican institutions would find fault with it for not going far enough. He thought that he saw in this measure sufficient to meet the expectations of the people of England; while, if a less measure of Reform had been offered, discontent would have continued, and the granting of any portion would only have been the signal for demanding more. Then the question was, whether Government had not adopted the right course? If they had only disfranchised one borough, the principle of the Constitution, as laid down by the hon. and learned member for Boroughbridge, would have been equally violated; and, therefore, having gone so far, were they not right in proceeding to that extent which should make the nation perceive that they were in earnest? That the Government could not, on coming into office, have stood still, must be evident to all; and it was worth while remembering, that what would satisfy the people now, would probably not be deemed sufficient only a twelvemonth hence. It was for these reasons that he thought, that the arguments which had been urged by his hon. and learned friends had no right to be entertained as just ones, and that the Government, in giving this measure to the country, had acted a wise, judicious, and prudent part.

Mr. *Hawkins* said, that if in the few observations he was about to offer to the House, he should dwell rather on the manner in which this measure had been opposed, and on the objections with which it had been met, than on the intrinsic merits of the measure itself, he hoped the House would attribute such a manner of handling the topic to the protracted length of the debates, which had exhausted the subject, and rendered every observation, at that stage of the proceedings, a reply to something that had gone before—rather than to any inclination to make a great constitutional question a field for party conflict, or a vehicle for personal attack. Among other causes to which the success of this Bill had been attributed by its adversaries, was popular clamour, which had been so much dwelt upon by the hon. member for Rye, but concerning which much misapprehension was abroad, from a careless use of this expression. In the ultimate sense of the expression, every measure of political improvement was a concession to popular clamour. That Members of Parliament no longer received money-bribes from the Minister in the lobby of the House, was a concession to popular clamour. The present measure was a concession to popular clamour, like other great political improvements which had preceded it. It was not half so much a concession to popular clamour as the Catholic Relief Bill; for that was a concession to popular resistance. No Legislature bestirred itself in the work of improvement until public clamour was so loud that it could no longer close its ears to the public demands. But did it follow, that public clamour was servilely obeyed? By no means. It was obeyed thus far; that an indolent Legislature was compelled to discuss diligently and a selfish Legislature impartially a question which it had before succeeded in staving off; and if the discussions of that Legislature proved the public to be wrong, the clamour was silenced. That was, in practice, the course of all political improvement. The public discussed and formed various opinions on a subject. As soon as any one opinion was embraced by a sufficient majority to allow it to be dignified with the title of "public opinion," the Legislature was compelled to entertain the subject; and if the Legislature could not convince the public of error, it was obliged, sooner or later, to effect the improvement demanded by the public. Another of the causes to which the progress of the measure had been attributed was an abstract being, which the terrified imaginations of the Anti-reformers embodied under the name of Journalism—as if the Power of the press were not, like all other powers, dependent, for any real and lasting strength, upon the number and obedience of its willing subjects—as if the Press were not, as far as its influence was concerned, precisely in the situation of the popular orator, who, if he wished to lead his audience a step, must submit to be led by them a mile. Among the defenders of our present institutions were some who admitted the inefficacy of our Representative system, as a check in the hands of the people upon their governors; but asserted that its deficiencies in this respect were compensated by the power of the Press—by the publicity of debates—by the liberty which the Press arrogated to itself of canvassing the proceedings of Parliament, and by the rapid circulation of opinions among all classes of the community. But if that were so (and he readily allowed that it was), why should not public opinion exercise the same control over the actions of the future members for Birmingham and Manchester as over those of the members for Gatton and Old Sarum? If the power of public opinion was a defence against the errors of the members for Gatton and Old Sarum, *à fortiori*, it was a defence against those of the members for Birmingham and Manchester. Why should those men alone be supposed beyond the control of public opinion, who would owe their elevation to its suffrage; while those who had obtained their seats independent of, if not in opposition to, the voice of the people, were admitted to owe to the influence of that voice alone, whatever sympathy with the public their parliamentary conduct exhibited. Of those oft-refuted arguments which have survived the wear-and-tear of a three-months' discussion, the most vivacious certainly was the objection to the anomalies of this Bill. But the hon. Members who made the objection, had, since the commencement of these discussions, furnished an additional defence against it. It was formerly answered, that a defence against such an attack could hardly be needed against those who were advocating, in preference, a system which itself was liable to the same objection in a tenfold degree. To this reply a rejoinder had been put in. The right hon. Baronet, the member for Tamworth, and others, said, that they were willing to bear with the anomalies of the old system, for the sake of the stability it had acquired by prescription. Good! so long as the question was—whether there should be any change or not?—the argument, as far as it went, was good against any change whatever. But the right hon. Baronet and his friends having made up their minds that some change must take place, it was too late to put forth an argument which was worthless so soon as the necessity of any change was admitted. When an hon. Member admitted the necessity or propriety of some alteration, it was incompetent for him to oppose the change proposed by his Majesty's Ministers, on the plea of its retaining anomalies, unless he does so for the purpose of recommending a plan of his own which shall contain fewer. Hon. Members had abandoned any advantage they might claim from this plea of prescription, by confessing the necessity of violating it. Some were bit-by-bit Reformers—others moderate — many constitutional — some few even efficient Reformers. And the hon. and learned member for Boroughbridge was the only individual who, in this nicely-graduated scale, was content to remain at the zero of political improvement. Sarcasm had been used, about the facility of pulling down, as compared with the difficulty of building up; and so some of the objections heard in Committee, appeared to him to present much more conclusive proof of the facility of finding fault, than of the capability of suggesting a remedy. Among the mass of objections made in Committee to the principle on which Schedules A and B were constructed—only two propositions of amendment were, as far as he could recollect, suggested; and they were identical in principle. One was, to take the census of 1831 in preference to that of 1821; the other was, to correct the census of 1821 by evidence at the bar. But on what did the accuracy of the population returns depend, but on the testimony of the resident inhabitants? And what did hon. Members opposite propose to do?—distrusting the evidence of these inhabitants, given at the time, carelessly, perhaps, but under no temptations to intentional falsehood—they invited the House to take, in preference, the evidence of these same inhabitants, given at a time when they were under manifest temptation to falsify the returns. The census of 1821, in all probability, contained errors of negligence. With the same probability, and for the same reasons, the census of 1831 would probably contain an equal amount of errors of negligence, with the addition of errors of intention. And what sort of corrective was it to call for evidence at the bar? They were, in reality, asking for the testimony of the surviving population of 1821, to correct the testimony of the whole population of that period! They were asking to correct the evidence of the whole given at the time, by the evidence of a part given from memory, ten years afterwards. He would not venture into those nice disquisitions which had been set on foot by the legal ingenuity of the opposite benches, touching the exact result, in each individual instance, of the proposed qualification; if they required an answer, it must be given by more acute reasoners than he was. It would be sufficient for him if the extent of the constituency contemplated by his Majesty's Ministers were not materially curtailed. He had no apprehension that any immoderate extension would result from the practical working of the present Bill. The favourite mode of assault upon this part of the Bill was a species of cross-fire, to which it was exposed from the opposite benches. Some hon. Member complained of the uniformity of our qualification. "I liked the old system," says he, "on account of the variety of franchise which it embraced. There was a picturesque irregularity about it—a number of venerable anomalies, which softened down the harshness of the transition from the class of electors to that of non-electors; whereas you are proposing to establish in its place an uniform line of fence, over which the excluded may feed their envy by peeping at the lucky ones within." No sooner had the cheers with which this objection was hailed, subsided, than some near neighbour of the last speaker proceeded to say, that the uniformity of the Bill was all moonshine—a mere verbal uniformity—that it would be anything but uniform in practice; that the 10*l.* householder of a great manufacturing city was a very different personage from the 10*l.* householder of a small town in a remote agricultural district; that in some places we should establish a species of select vestry constituency, and in others something bordering on Universal Suffrage. That mode of opposition had been so frequent in the course of these debates, that it would only be necessary to cut out from the newspaper reports all the arguments of hon. Members opposite, and pair off, by twos, and twos, those which exactly answered each other, and the noble Lord, the Paymaster of the Forces, would find a scarcity of subject matter for his reply when he rose to make his concluding speech. In such a case the noble Lord's opponents might settle the difference between themselves; and sit down with the reflection of a certain gallant Captain;—

> "How happy could I be with either,
> Were t'other dear charmer away;
> But since you thus tease me together,
> To neither a word will I say."

Of these two alternatives, he would embrace one, and admit, that the qualification would be by no means uniform in practice; nay, that all due allowance being made for a little parliamentary exaggeration, that the working of it would be pretty much as was predicted; and however the assertion might startle hon. Members opposite, this proposed qualification appeared to him, in its probable working, one of the happiest of political contrivances for producing a required result; one of the simplest of means by which a complex end was ever accomplished. For, what were the conditions which a qualification was required to fulfil? In the first place, a fixed, intelligible line was wanted, to serve as a standard of registration, for purposes of legal decision, and at the same time to embrace the greatest possible number of those, in whatever station of life, who possessed sufficient intelligence to exercise the franchise. In a country where no public provision was made for the education of the people, it necessarily happened that a certain amount of income was the only general and practical criterion of a required degree of intelligence—and this standard, if taken in a way which admitted of being easily estimated, fulfilled the first condition. Then came the difficulty, that an equal amount of income was not in all cases a presumption of an equal degree of intelligence; and the way in which the proposed qualification obviated this difficulty constituted its peculiar beauty and merit. It adapts itself insensibly to the various degrees of intelligence possessed by different persons in the same station and rank of life—the boundary line was drawn through a variety of individual wealth, but by no means a corresponding variety of individual intelligence. Says some hon. Member, "your 10*l.* qualification will embrace persons of a much humbler calling in the great manufacturing towns, than in the smaller towns of the agricultural districts." Just so, and that was required. The 10*l.* householder of Manchester was a person in a lower station of life, than the 10*l.* householder of Conway; but then, the commerce, and wealth, and population, which surround the mechanic of Manchester, and compelled him to pay this high rent for his house, ensured to him, at the same time, a degree of political intelligence, superior to that possessed by persons of a similar calling and station, in situations of less commercial activity and less variety of personal intercourse. His argument was—that the proposed qualification, though it admitted in this place, and excluded in that, persons in a similar rank of life, yet by no means admitted a corresponding variation in the degree of intelligence which it embraced. If he had succeeded in making himself intelligible, it must be obvious, that this inequality of franchise was a very different thing from that chance-medley inequality produced by the anomalies of the old system. The right hon. Baronet, the member for Tamworth said, that the Opposition liked the inequalities of the old system, because they wished all classes to have a share in the representation. But if that argument was good for anything, it was good for much more than the right hon. Baronet wished—it was good for Universal Suffrage. If that class which the right hon. Baronet once defined, as lying above the line of pauperism, and below the line of 10*l.* householders, required a direct Representation to take care of its interests, and was qualified to choose that Representation, why should it not be at once, and without hesitation, included in the franchise? If that class did not require a direct Representation to take care of its interests, why expose it to the temptation of corrupt influence, which must be the natural result of a privilege which is of no use to it, and an object of purchase to others? That was a difficulty which required a more precise reply than vague metaphorical eulogiums on time-honoured anomalies, and that difficulty the proposed franchise entirely escaped. It had been said, also, that the proposed qualification was a step to Universal Suffrage, or, as the hon. and learned member for Boroughbridge described it, a sort of political Hownslow or Brentford on the high road to the Land's End of democracy—a baiting place—a temporary intermediate stage. But would the hon. and learned Gentleman describe that position between democracy and despotism, which was not an intermediate stage? The old system was an intermediate position; but it was a position on the sand, and the Bill was a position on the rock. Undoubtedly it might be a temporary position, but, removed from that there would still be ground to stand upon, while if we remained on the sand, we should be sure to be overwhelmed. He did not close his senses to the apprehensions which wise men entertained of untried changes in the complicated machinery of political institutions; but slow, indeed, would be the advance of mankind in the career of improvement were such apprehensions to fright them into inactivity. But said hon. Members, "think of the vast constituencies—the mob constituencies that you will have to deal with! Why, Manchester will have 12,000 electors, and Liverpool 14,000! Only think of representing 12,000 Manchester operatives." And why not? Were 12,000 electors more open to corruption than 1,200? Until hon. Members opposite discovered a few nights ago, that the facilities of bribery increased with the number of recipients, he had thought that the political experience of mankind had unanimously pronounced a contrary opinion. He would not, however, set up the vague plea of general opinion in such matters, against the practical experience of some who had asserted the contrary; but they might have afforded the House some theoretical reasons for their—he would not say, paradox—but discovery. They had adduced, as a particular and practical example, the case of Dublin, as if it were any prospective operation of this Bill which had crowded the tally-pens of the Dublin hustings with herds of fictitious freeholders; as if that noble franchise of raspberry beds and gooseberry bushes, of which a Committee of this House had heard so much, were not part and parcel of that good old system, which was the special object of Tory adoration! But, said the hon. Members opposite, "It may be true that you will no longer be able to exercise any undue control over those numerous constituencies; but then we will turn your own arguments against yourself, by asserting that those numerous constituencies will exercise an undue control over you. You will be a mere set of delegates, sent here to do the will of the people—not, as you ought to be, a set of deputies, to consult for their interests." But what were they now? That House might be under the present system, divided generally and with few exceptions, into two bodies—one, more or less dependent upon the will of their constituents; the other, and that the largest, almost entirely independent of popular control. Did the hon. Member who cried "No," forget that evidence had been tendered at the bar of the House, to prove, that a numerical majority of the Members was returned by a few score of individuals—Peers and Commoners? Nobody would contend that the conduct of the Representative should not conform, more or less, to the opinions of his constituents. But then, that happy medium to which they were told to look—that undefined and undefinable mixture of independence with responsibility, existed in so few individual cases, so large a part of this Assembly was beyond the reach of popular control, and so free to consult their own interests, that the people were obliged, in self-defence, as their only means of exercising any influence over the decisions of the whole body, to keep that small part whom they themselves elected, in a state of servitude, which perhaps, too nearly resembled the situation of a delegate. Give the people that control over the actions of their Representatives which would arise from a free choice at moderate intervals, and they would allow those Representatives a fair discretionary power during the term of their service. The steed was never curbed so tight as when his rider felt that he had not a due control over him. Let the people feel that they had the power in their hands, and he mistook the sobriety of the English political character, if they did not allow their Representatives an extent of discretion and of liberty proportionate to their means of checking its excesses. When hon. Members complained of the undue proportion of Representation to be given to the metropolitan districts—a proportion, by the way, only one-fifth of that enjoyed on the average by any other equal number of Englishmen—their chief objection was the control which the constituencies of those districts would exercise over their Representatives. It was stated at the time, that such control could only differ from that exercised by the constituencies of any other town, in being subjected to a delay of a few hours' postage. Upon this hint hon. Members opposite had since come forward and complained of the control which the constituencies of towns in general would exercise over their Representatives. To the general complaint of undue control exercised by constituencies over their Members, he had already replied; to this particular complaint of the control which town constituencies would exercise, he would reply, by asking whether the constituencies of counties were in the habit of exercising a less efficient control over their Representatives? There were some hon. Members opposite who could tell a different tale. Did the county hustings, at the late elections, witness no political catechisms? Did county Members never learn the elements of legislation by the method of question and answer? How many conservatives were now sitting for English counties, and how many were sitting here before the dissolution? The hon. member for Thetford, in looking round him for some protection against the innovating propensities of our mercantile constituencies, discovered a subject of congratulation and eulogy in the conservative principles of our agricultural Representation; but then he proceeded to say, almost in the same breath, that these county Representatives had neither spirit nor intelligence, to carry their principles into effect. But of what use were conservative principles without conservative talent? It would be more to the purpose of those who entertained these opinions, at least it would be more candid, if they said at once, "We believe, that the middle classes of our town populations entertain destructive principles; and we will be no parties to the furtherance of such principles by admitting their professors within the temple of the Constitution." If those Gentlemen could shut the door in the face of the people, why did they not do it at once? if they were not able, why exasperate them by arguments which only proved the reluctance with which the admission was granted? But suppose the character which the hon. member for Thetford and others, had given of the county Representatives were true; suppose these spiritless and talentless conservatives returned to this House, in sufficient numbers, to calm the apprehensions of hon. Members opposite, how long did they suppose that the people of England would endure this incubus on the bosom of their Legislature? How long would they bear to see the Representatives of the national intelligence borne down, night after night, by the dead-weight of these Representatives of the national dullness? It must have struck an observer of the Debates, that in a length of discussion unprecedented in our parliamentary annals, scarcely a word had been said on either side, upon that which was, in former times, a standing objection to all proposals for disfranchisement—namely, the right to pecuniary compensation. In the present instance, t belonged to the opposite side of the House to originate such a claim, if to them it seemed fit; but not only had they been almost silent on the subject; but, on the one or two occasions on which it had accidentally fallen in their way, they had alluded to it with an apparent anxiety to disclaim any intention of putting in such a claim. Whether or not that would have availed them anything, had they done so, he did not decide—but was it not obvious, that by giving up the claim for compensation, while they maintained the personal right, they had broached this startling constitutional doctrine—that there may exist certain personal privileges with which the united Legislature could not interfere even upon compensation given? If their doctrine was true, Reform was hopeless? If it was true that the Legislature was incompetent to correct that House, how could they persuade the people that a Government which was unable, however willing, to correct itself, might not be corrected from without, by those from whom it emanated, and for whose benefit it existed? If the progressive decay of ancient towns could not be, from time to time, compensated by transferring the franchise to their successors in wealth and industry, what would be the state of the Representation should Appleby become a green mound, and York an inconsiderable borough? If the borough constituency was subject to accidental and intentional diminution, but was not susceptible of increase — if individual interests might exert a perverse ingenuity in narrowing the basis of our Representation, and there existed no power of checking their excesses, what would be the annual amount of pensions and places which the Minister of half a century hence would require, to enable him to persuade the parliamentary majority of that day to concur with him in some line of policy which might just steer clear of popular resistance? If that which the King, Lords, and Commons, willed, could not be effected because of the dissent of a few score of individuals, would the logic of hon. Members opposite, however unanswerable in words, persuade the people to abstain from answering it by deeds? He was aware that physical force ought not to intervene in political arguments; but he need not remind hon. Members opposite, that it was the *ultima ratio*, the real though hidden foundation, of all political argument; and if they would persist in maintaining abstract principles, whose practical and not very remote result he had hinted at, would their theoretical *reductio ad absurdum* save the country from a practical *reductio ad periculosum?* He did not marvel at the reluctance of his opponents to rest their case on this claim of compensation; he saw clearly the difficulty of proving a right to compensation for that which positive Statutes, the Resolutions of that House, and the voice of the public, had proclaimed to be a crime to apply to one's own profit; he felt the uncomfortable dilemma in which his opponents were placed; but had they not, in abandoning this old claim, dangerous though it be, been guilty of that over-caution which defeats its own purpose? They talked of a power possessed by individuals, which could not be the subject of compensation. Had they not given a definition of a trust? They spoke of a right which could not be abolished legally, even though the three branches of the Legislature concur! Was not the concurrence of the three branches of the Legislature the practical criterion of constitutional legality? He would not stop to dispute about terms; let the opponents of the Bill call it a Revolution if they pleased; they were fond of the word; but if the three branches of the Legislature concur, and the people applaud, a Revolution let it be. "Roast mutton, I dare say it is," said one in the Tale of a Tub, "but to me it tastes very like brown bread." A Revolution by Act of Parliament, without bloodshed or disturbance, sounded very like a constitutional Reform. Perhaps he should be answered, that although the franchise of the close corporations might not be forfeited, it might be extended to any number of additional electors; and even those who would hesitate about this, would admit (what comes to precisely the same thing—for the purpose of his argument) that any number of new constituencies might be created, by adding to the number of this House, without any violation of existing right. But if political power might be thus indefinitely diminished, by being shared with others, what became of the right? If the elector of Old Sarum, who enjoyed the consideration and power of creating the half or the third of a Member of Parliament, was liable to find that power reduced, by dilution, to the choice of only a ten-thousandth part, what was the value of the privilege? If any hon. Member chose to stand up and say that his Majesty's Ministers ought, for the sake of preserving this abstract right—this ghost of a privilege—to have tacked Old Sarum to Manchester, and drowned the constituency of Gatton in the electoral ocean of Birmingham, he was content to leave the hon. Member in possession of what remained of the argument. Had Old Sarum and Gatton thought such a privilege worth the parchment of a petition, his Majesty's Ministers would have done right to gratify them, could they, by such a compromise, have saved the House from the profitless discussions to which it had been compelled to listen. There had been some cavilling on an expression of the noble Lord, the Paymaster of the Forces, to this effect—"That we are restoring the principles of the Constitution," "that we are bringing back the Constitution to its original principles." And what was the objection to this? Why, that nomination had always existed, that some small places had always possessed the franchise to the exclusion of others that were larger; and that some of these small places were now as large as when they were first endowed with the privilege of Representation; that the Representation, in short, was the same as ever, and was not less extensive and free. Were he to grant it so in form, he must deny it in spirit. Did hon. Members make no allowance for the change in our social life? Did they mean to maintain, that the representative of a close corporation of a dozen individuals was as much the representative of all England now, as he was three centuries ago? Did they mean to say, that the sixty boroughs in schedule A (even granting the greatest increase of their population, and wealth, and consequence that could possibly be claimed for them) represented as great a proportion of the population and wealth of England now, as they did then? The old principles of the Constitution were, that the wealth and population of the country should be represented, though not precisely in arithmetical proportion either to population or property, but such was the broad purpose of the franchise. Rude in its construction, and unequal in its operation, as was the machinery which our ancestors erected for the purpose, this was the result intended. The rudeness of structure remains, perhaps, no worse than it was—but the inequality of result had been increased, and was increasing. It was increasing with every increase of our decennial census—with every street put forth by the metropolis—with every common broken up by the plough—with every mile added to our roads and our canals—with every new sail that entered our docks—with every additional chimney that waved its sable pennon over the roofs of Birmingham and Manchester. That had often in substance been said before; and never, in his opinion, been answered. He wanted it not for the sake of his argument—he would give his opponents the benefit of it. He was willing to suppose, for argument's sake, that no increase of wealth or population had taken place in England for several centuries; and still he would say, that the boroughs in schedule A would not represent now as great an amount of the wealth and population of England as they did then; and he said so for these reasons: The feudal system had been abandoned in private life, as well as in matters of government. Clans were broken up into families, and families into individuals. The elector who went up to the hustings three centuries ago, voted as the representative of a household, whose opinions and interests were so closely identified with his own, that he might be fairly intrusted with the choice of a Member to represent the whole household in Parliament. The elector of the present day represented, at most, his wife and children, frequently not even his sons. Now a father and son might live together on such terms as father and son should—perhaps under the same roof—and yet vote for different candidates at the hustings; an act of filial disobedience, which, three centuries ago, would have been an outrage on public opinion and private morality. When the son was servant, as well as heir, his political opinions, as well as his political interests, were identified with those of his master and parent. When the domestic was a follower and dependent, his opinions were identified with those of his leader and patron. Had it been ever so desirable, the servant could not have exercised any free will in the use of the elective franchise, under a social system in which the loss of a master was the loss of a chieftain, and the loss of a place the loss of protection. The servant and dependent of that day had become the independent labourer of this; and that very change compelled an extension of the franchise. It was obvious, that the opinions of a given population might be collected by a much smaller number of votes under the old system, than would be required to collect the opinions of the same amount of population at present. These dry disquisitions were fitter subjects, perhaps, for the closet than the debate; but after the iteration of oft-refuted arguments, it seemed necessary to explain, in this imperfect way, or rather to hint at the reasons, why a system which was the same in form, was no longer the same in spirit—why a machine, of which the construction was unaltered, under different circumstances produced very different results—why the same form of Representation which expressed the opinions of England formerly, expressed only the will of a narrow section of her aristocracy now. It was not then necessary for him to inquire whether this change were for the better or worse; he was merely asserting, with the noble Lord, the Paymaster of the Forces, that a change had taken place, and that by this Bill, in spirit, if not in form, the House was returning to a former state of things, from which, he might at least assert that we had deviated. Of course he should not be so far misunderstood as to be asked, whether he seriously believed, that public opinion exercised an increased and increasing control over the actions of the Government; whether public opinion was not both louder and better attended to than at any former period. He had no doubt, that public opinion was more powerful now than at any former period—for example, in the reign of Elizabeth; but he doubted whether it was as well represented within those walls, in proportion to its power. At the former time, the voice of public opinion was feeble; few men troubled their heads with politics—still fewer of those who had any opinions ventured to express them; but those opinions, such as they were, and so far as they were expressed, were more accurately and directly represented in the Legislature of that day, than the public opinion which now exists is in the Legislature of this. The government of Elizabeth was undoubtedly more in harmony with the public opinion of her day, than was the government of George the 4th, with the public opinion of his. Of course, he was not maintaining that the government of that day was better or more liberal than the government of this. Nobody denied, that the government had marched since the reign of Elizabeth; but it had not marched in proportion to the advance of public opinion; and, though better governed, we were more discontented, because the difference between the governors and governed was greater than ever. How could it be otherwise? Was it not obvious that the boast of the Anti-reformers, that our Legislature was now in form what it anciently was—was tantamount to saying that it was different in spirit? Under very altered circumstances, was not a correspondence of machinery synonymous with a difference of result? He had thus far given his adversaries the benefit of their own assumption; but, even on the ground of "form," he was ready to meet them. If they contented themselves by saying that our Representation was now in form what it was a century ago (sinking the Irish and Scotch Unions), or even two centuries ago (sinking the reign of Cromwell), he would grant it, but he must contend that the absence of change, during this limited period, was a conclusive reason for a great change now. But almost up to the commencement of that period, what was the history of our Parliament but a succession of changes? He was not going to assume any of those doubtful facts which obscured the early history of our representative system. Whatever was the origin of that House—whatever was the nature of its first advances towards independent existence, thus much was certain: that there was a time when Parliament consisted only of the King and Barons, spiritual and temporal; the whole property of the country being then possessed by the King and Barons, spiritual and temporal; that there was a time when the representatives of the Commons sat in the same House with the Barons, possessing a very small share of political power, and interfering only in the granting of supplies; which was when the Commons had just began to exist as an independent body possessed of property; and that there came a time, as early as the 5th of Edward the 3rd, when the Commons sat and acted as a separate and independent body in the Legislature; and this, and every successive augmentation of their legislative power, whatever was its immediate cause, was concomitant with a corresponding augmentation of their property and importance as a component part of the community. Was it credible, that with these things staring them in the face, persons should venture to refer to history for arguments against innovation? If the latter half of our parliamentary existence had been a long and painful maintenance of the same position, in opposition to the torrent of social improvement that was sweeping by, was it not equally certain that the former half of its existence was a series of successive adaptations of its form, and therefore of its spirit, to the successive changes of our habits and opinions? He set little value on the argument of historical precedent; not that he denied its value in default of other reasons—still less was he ignorant, that it was a favourite and prevailing argument to the minds of the generality of mankind; but it was the last argument which the anti-reformers should adopt in the question of Parliamentary Reform (at least, unless they were quite sure that the power was on their side); for if anything was certain, as a general rule, in the history of our Parliament, it was this—that whatever power the Commons had possessed at any given time, had been the aggregate result of a series of successive extortions from the necessities of the governing powers. At one moment the Commons extorted from the Aristocracy and the Crown—at another, the Crown from the Aristocracy and the Commons; again, the Aristocracy and the Commons from the Crown; and if, in the demands which the Crown and the Commons were now making upon the Aristocracy, they were to recur to

> "The good old rule, the simple plan,
> That they should take who have the power,
> And they should keep who can,"—

it was easy to foresee what would be the result. He was also perfectly aware, when he said, that a representation of wealth and numbers was the ancient principle of our Constitution—that an exception might be set up in the case of certain close boroughs in Cornwall and elsewhere, enfranchised by the Crown, nominally upon the plea of gratitude for services performed—in reality, for the purpose of increasing, by nomination, either the power of the Crown, or, as it appears in some few cases, that of certain favoured and powerful individuals. As an exception to his principle, he granted it; but as an objection to his reasoning, he answered it by the same arguments which he had applied to the general rule. These cases of intentional nomination were established at a time when the nominee of one or a few individuals, more accurately represented the people of England, than the nominee of the same small number of individuals did now; and even if the population and wealth of the country had remained the same, such a nominee was a more correct Representative of a population under the patriarchal habits of the feudal system, than of the same population under those habits of individual independence and family separation in which the community now delights. And nothing but a recurrence to those habits of family dependence and domestic obedience, which have spread a veil of romance over the harsher features of the feudal system, could save the country from that complete and manifest separation between the interests of the represented few, and the unrepresented many, which had been for some time past rapidly approaching. Who had not foreseen and trembled at its approach? The authority of long experience in the ways of office was not necessary to convince "that the service of his King had ceased to be an object of desire to a man of equal and consistent mind." Who could doubt it, that had witnessed, of late years, the situation of each successive Minister of England? Slave, on the one hand, of that handful of dealers in parliamentary power whose zealous and faithful support he had no longer the adequate means of purchasing—hated, on the other hand, by the people, whose rights he would fain have granted, perhaps even at the sacrifice of his own interest, could such sacrifice have availed—too liberal in his opinions to secure the support of the boroughmongers—too illiberal in his actions to win the affections of the people—cursing, in his heart, that fiendish power, without which he could not perform his nightly task, but which no longer served him with the same obsequiousness, because he could no longer pay it with former profusion—such was the yoke to which even a Canning was obliged to stoop, when he bent his proud spirit to the degrading task of purchasing with the sweat of a people's toil, the support of that dealer in legislative power, by whose assistance alone he could hope to work out that people's welfare. Such was the crooked path which all were obliged to tread—the patriotic equally as the selfish Minister—a Fox equally as a Pitt—a Canning as a Castlereagh. He would not stop to enter into the details of these abominations. As a parting glance at this expiring system, let him call to the recollection of hon. Members, some of those trite observations which have been, from time to time, in every one's mouth—referred to by men of different opinions for the sake of different inferences, but admitted by all as matters of fact and observation; such, for instance, as the common saying, "that it was becoming, from day to day, more and more difficult to carry on the Government." What was meant by those assertions, common alike to the Ministerial and the Opposition journals—to the aristocratic, equally as the radical Press—"that for some years past, the Ministry for the time being, had invariably been more liberal in its wishes and opinions than the dominant party in Parliament?" or this, for instance—"that the Ministry was now a check upon the Parliament, not the Parliament upon the Ministry?" What was the meaning of such sayings?—What was the indignant exclamation of the right hon. member for Tamworth, but a faithful comment on that bitter text of the late Lord Liverpool, "This is too bad?" Well might a Minister declare, that he meant not to govern by patronage! It was too late to do so: and to that Minister be the praise, not of having announced a necessity which had long been evident to reflecting minds, but of having himself been foremost in that abolition of patronage which was the real cause of placing the Government of England in the hands of men who had had the courage to try that newest and noblest of political experiments, a Government by public opinion. And to this complexion must we come at last. Whether this Bill would pass he knew not; but he knew and felt, that the power was in the hands of those from whom political power was derived. Whether it be better that it should be in such hands, or in the hands of those who had shewn neither the courage to keep it by force, nor the wit to purchase it by conciliation, nor the generosity to confer it as a boon—was now a question for the political philosopher rather than the practical Statesman. It was too late to bandy recriminations. This was, at bottom, no work either of Whig or Tory hands. The narrow resting-place, onwhich the old system yet stood—which the current of passing events had long been loosening, was pushed from its base by last winter's torrent. The Ministers had but undertaken to guide that into a safer harbour which their adversaries confessed themselves unable to keep where it was, but would not attempt to pilot into another haven. It was too late to look back. It might be, as they asserted, that rocks and breakers were a head;—shame be to those whose obstinate delay had kept the useful idly at anchor until the winds were high and the streams were swollen!—but it was now the part of a wise man to trim his craft as best he might, instead of stretching forth his hands with unavailing regret to that shore on which he loitered, until the summer's breeze which courted his sails had been changed to the winter's hurricane which had driven him precipitately from the land. And what else but lamentation and complaint had they tried, to save the country from that precipice of revolution to which, as they said, it was hurrying? "Some Reform," said the member for Tamworth, "must be." "O yes, we now see the necessity of some Reform," echoed in ill-tuned chorus his disorderly followers; "but this Bill is revolution." Well, then, if a Reform must be, and this Reform must not be, where was their Reform? What, silent? Not even a string of resolutions to save the country? A Bill of his own might hereafter prove an awkward pledge to any hon. Member opposite and a set of resolutions might compromise—the future Ministry. Was England however so fallen from her high estate, that no one of those who had guided her destinies so long, would now risk a fraction of his future political reputation to save her? Who, that heard the greeting with which this Bill was first met, and the admission which hon. Members opposite soon after made could do otherwise than imagine that as many Reform Bills would have been brought in as there had been amendments proposed, and as many resolutions as there had been speeches? And what had these foreboders of Revolution done? They had cried aloud to their false gods, but they had shrunk from putting their shoulders to the wheel. How they could reconcile this inaction to a sincere belief of the dangers which they foretold, he left to themselves to explain; nor could he imagine what credit they proposed to themselves by dwelling upon evils which, if they came to pass, would be a practical reproof of their own bigotry, holding up the consequences of their own obstinacy as a warning to mankind. He would not trespass on the patience of the House further, but for one other topic, and he would allude to that with the brevity which befitted the delicacy of the subject. Many hon. Members on the opposite side had taken occasion, in the course of these debates, to express their hopes and wishes as to the reception which this measure might meet with elsewhere. As hon. Members had, this evening, again referred to the subject, he would say thus much:—If it were indecent to remind certain exalted personages in another place of the dangers and calamities which a rejection of this Bill might inflict upon their fellow countrymen, how much more indecent was it to suggest to them, as an argument against it, the consequences which its acceptance might entail upon themselves? The friends of the Bill had prayed them to pass it for the sake of their country—its adversaries had appealed to their personal fears and private interests as motives for rejecting it [" *No, no*".] Such an appeal had been made; and those noble personages had been told, by the opposite side of the House, that the consequences of passing this Bill would be the destruction of their own political power, and, perhaps, political existence. From the conduct of that assembly on former occasions he would not infer what on this occasion it ought to be; but, without disrespect, he might draw therefrom some grateful augury of what it probably would be. He was aware of no great measure of political improvement, in the acceptance of which the hereditary branch of our Legislature had not shewn that hesitation which, in the theory of the Constitution, was given out as their peculiar duty and virtue; but neither was he aware of any great measure of political improvement which they had not ultimately accepted. Those who called themselves the especial friends of the Peerage, had recommended the present as a fitting occasion for a first exception to this long rule of patriotic sympathy with public opinion. He had no great apprehension that their advice would be followed; but he was at a loss to discover what features in the aspect of the times had induced them to recommend the present moment for such an experiment. He for one saw no vision of scaffolds or revolutionary tribunals; if he did, this were no time to withhold the prophesy. He foresaw no violence either to the persons or property of those in whose hands the future happiness of England would, in a few hours more, be placed; if he did, he should ill discharge his duty by a respectful silence. But he had read with little attention the share they had borne in the perils and the triumphs of the British Constitution, if they should refuse, from the motives with which their pretended friends had supplied them—the vulgar motives of personal fear and private interests, to save the capitol.

Mr. *Baring* complained of the hon. Member who spoke last having liberally dealt out sarcasms and censure on all the Anti-reformers. They came with a very bad grace from so young a man. The hon. Member ought to be more careful; for he sat for a borough which might still return him after the Bill was passed. He trusted the House would indulge him while he made a very few observations upon the Bill, which had now reached its last stage. He pledged himself that those observations should be brief; but he could not bring his mind to allow this Bill, which he considered to be a most dangerous and destructive measure, to pass without bestowing upon it his most hearty malediction. To the details of the Bill, as respected the difficulty of its working, objections occurred from the beginning to the end; but, great as those defects were, when compared with the dangers of the principle of the Bill, they sunk into insignificance. Besides, they had been so ably and so powerfully exposed by his hon. and learned friend, that it must be unnecessary for him to allude to them at any length. But respecting the working of this Bill he must say, with reference to its details, that if the wit of man had been employed in contriving a dangerous, difficult, unsatisfactory, and impracticable scheme of Representation and constituency, it could not have hit upon a more perfect model than this Bill furnished. His hon. and learned friend had happily remarked upon the difficulties which must arise in consequence of the duties imposed upon the Overseers, and the duties devolved upon the electioneering Barristers—and his hon. and learned friend might have added to the catalogue of difficulties he had pointed out, the difficulty a country Overseer would have in understanding the Bill itself. Under any circumstances, it would be difficult for an Overseer to decide upon the votes, and to make out the register; but how was it to be expected such a person should be able to do so upon an understanding of this Bill, when hon. and learned Members, who had debated the measure over and over again, confessed their inability to comprehend it; and even its very managers were at issue as to its meaning upon various points. But even supposing the country Overseer did understand this most confused and unintelligible measure—supposing he could form a registry of votes in accordance with its directions—in order to do so he must dive and ferret into all the private affairs of his parish. Nor was that the only evil to be apprehended. Every one who knew the state of the country, must know, that the quiet and the peaceable people—that those who disliked publicity—would soon give way to those who did not, and that the country attorney would in reality soon become the keeper of the registers. This must inevitably be the case, unless a county was to be contested every year, and even then the attorneys would possess the greatest part of the influence. He, therefore, repeated that it was impossible to conceive a more mischievous or unsatisfactory mode of registering the votes, than that proposed by the Bill. But it was upon the principle of the Bill, upon the great and dangerous and overwhelming change that was to be effected in the balance of power and of influence, that he wished to offer a very few observations. He had not heard any one of the supporters of the Bill, state or explain how the balance of power, acknowledged by the Constitution, was to be maintained. He wanted to know how the Crown was to be enabled to exercise its unquestioned functions? They all knew perfectly well, that, according to the spirit, as well as the uniform practice of the Constitution, the Crown had an undoubted right to name its own servants, and those servants had hitherto found their way into that House, but how that was now to be provided for, no one had even attempted to explain. The right of the Crown was beyond dispute, but no one had attempted to explain how its exercise could take place under the new Constitution. The supporters of the Bill had admitted the difficulty, but not one of them had attempted to explain how it was to be met. If, indeed, the remedy was, that the Bill left some few close boroughs, or close places, which the Crown might command, through the corruption of 10*l.* householders, or of an individual, what, he asked, became of the principle of the Bill, or the professions with which the Bill was given to the people? Suppose the Crown wanted a fresh Attorney or Solicitor General, or a Secretary to the Treasury, how were those persons to find their way into that House? A person might be a very great lawyer, and possess a mind highly accomplished, and well stored with learning, but he might, nevertheless, be totally unfit to take an active part upon the hustings at a popular election. The very qualities which rendered such a person estimable as a legal adviser to his Sovereign, and an ornament and honour to the choice of his Sovereign, might incapacitate him from succeeding at a democratic election. A man of such a mind could not stoop to the exaggerations and the artifices so essential towards success on a democratic hustings; and, if he did, the forgetfulness of his own character, and the prostitution of his talents, which such conduct would argue, would utterly unfit him for the confidence of the Crown. Nor was that all. How could an Attorney-General, returned by a democratic constituency, and holding his place in that House upon the voice of that constituency, venture to engage upon, or to pursue, an unpopular, although just and necessary prosecution? They had all heard that evening, and been delighted with the polished, manly, and graceful eloquence, and luminous learning, of the hon. and learned member for Rye (Mr. Pemberton)—but who must not have felt, even while he listened and admired, that the strain which delighted, was not fitted for triumph on a democratic hustings? Such an individual might be chosen by the Crown, and wisely, as being, from his mind and acquirements, the best calculated to support the just dignity of the Monarch, and the legal privileges of the public, but how he could obtain a seat under this Bill in the House of Commons, was an enigma that still remained to be solved. If they were to depart from the ancient Constitution of the country; if that fabric was to be destroyed, they had a right to look at the modern structures which were about them, if not with a view of criticising, at least with a view of enjoying their advantages. In France, the difficulty of the point he had just alluded to, had been felt, and provided for. It was most desirable, and to the democracy among others, that the Ministers of the Crown should have seats in that House, in order that they might answer such questions as might be properly proposed to them. The inconvenience of a different arrangement was very much felt and complained of in America, where a sort of long shot was kept up between the Congress and the public functionaries. If such a course was to be adopted in this country, it would be found to be excessively annoying. It would never answer, to keep up a long shot between Downing-street and that House, for incalculable inconvenience and dissatisfaction would be the result. What, then, he asked, was to be done? How was that difficulty to be overcome? It was perfectly true, that if the Bill passed, there would still remain a few close boroughs; boroughs made by the Bill more close even than they were at present, but they would be in the possession of about four individuals, and if they were to be viewed as essential to the Sovereign, for the purpose of returning his servants to that House, their proprietors would soon become a great power in the State, constituting a real oligarchy of the most dangerous character, a body small but powerful, and so necessary to the Crown, that it and its descendants would stick like leeches to the Sovereign, and command a share in the regal power, sharing amongst its members the highest places, and the most lucrative emoluments. Therefore, to advance it as an argument in favour of the Bill, that a few close boroughs, thus circumstanced, would be allowed to remain, was monstrous, and not to be listened to but in derision. He did not object to the existence of close boroughs, but he did object to the manner and the circumstances in which they were to be allowed to exist. Better would it be that the scheme should be bared at once, and in its full deformity allowed to meet the eye, than that it should be bolstered up by subterfuge and deceit. The form of government that the country was to have under the Constitution, was this:—There was to be a King, there was so be a nominal Peerage, and there was to be a House of Commons, exclusive of the small oligarchy he had adverted to, completely dependent upon the will and voice of the people. Such was confessed to be the new Constitution, and all experience brought him to this conclusion, that the popular body would swallow up the other two. This was the view he took of the matter, and he defied any one who supported the Bill, to adduce a single instance from the whole volume of history, in which similar results to those which he now predicted, had not sprung from similar causes. When it was stated on the hustings that the Peers and the Crown nominated Members to that House, and that that proceeding was to be entirely done away with, he could readily conceive that there was much shouting and casting of caps into the air; but, he would ask, was this now so much deprecated proceeding one of novel introduction? Had it not always existed under the Constitution, and was it not, in fact, a practical part of the working of that Constitution? The Crown and the Peerage had, for the exercise of influence, allowed, whether properly or not, the House of Commons to become the arena upon which a variety of most important questions were discussed, and virtually decided; and if the system was now to be changed, let it be shown by some intelligible reasoning, how the Crown and the Peerage were to maintain their privileges, nay, even their existence. The power which they now possessed was in that House, and not out of that House. But it was said, that the thing had not worked well; that the system was not only bad in theory, but bad also in practice. Why, what then became of all the boasts in the excellence of the British Constitution? Were they all worse than futile, and mere absurdities? Had the nation, and the whole world, too, been dreaming all this time, that the British Constitution gave more of public liberty, of happiness, and of security, than any other human mode of government in existence, or that ever had existed? If the nation had been so cajoled and deceived, as the new Constitution philosophers would have it believed, from whence had its civilization sprung, and from whence its progress in the arts and sciences? It was his sincere conviction, that never, upon the face of the globe, had there lived a people who had attained so high a degree of civilization as the British nation had under the Constitution, now to be discarded for a thing of anomalies, of vain pretension, and of absolute imbecility. He could not conceive that in any community a greater degree of wealth, of liberty, of security, or of happiness, could be enjoyed, than had been known in this country; and if that were the situation in which England was placed, he must be an egregious fool or hypocrite, who would characterize the Constitution, which had produced so many blessings, as corrupt and bad. If they were to give up the old Constitution, there was one thing that he would ask: he would require that an inventory should be taken by the new comers of what they found on the premises; and to that he would only further add, that they should be bound and compelled, on giving up possession, to restore the premises in as good a state of repair as they were when they entered upon them. Let that condition be fulfilled, and he should indeed be happy. Looking at the forms of the Government, he was not desirous of upholding them further than from their having proved, during a long series of years, to be in strict accordance with the feelings and the wants of the country. That ought to be the object of every Government. All forms of Government might, in themselves, be good, but the object to be inquired into was, whether the form of Government adopted by, or imposed upon a nation, was in consonance with its wants, its feelings, and its wishes. It was necessary that the Government of a country should be in harmony with its property, and in that respect he feared the new Constitution would prove to be but sadly defective. For a few years old Associations might ward off destruction, but year after year some new inroad would be made, till at last the whole social edifice of the country would be undermined and fall. He could perfectly understand that the Americans were ardently attached to their form of government, and that arose from the fact of all their political institutions being in harmony with the feelings of the people, and the state of property. He had lived for several years in the State of Connecticut, and he had paid some attention to the proceedings in that State, which was one of the most Republican of the whole united Provinces. Inquiring how a perfect system of Republicanism could exist, he had spoken to one of the leading men, who had remarked to him that he (the person interrogated) was the only one in the whole State who kept a four-wheel carriage, but that all the rest kept their buggies, and consequently, one was as well off as another. That answer solved the difficulty. He immediately saw that that was a country fitted for Republicanism. But how different would the case be in England. Here there were a great many persons who lived upon charity, and some few who lived in splendor; and let democracy be once instituted, and there would be a continual conflict between numbers and property. The Church would fall first, and year after year some fresh inroad would be made upon property, till all was levelled. There would be no peace because no security, and there would be a dire and discontented scramble for the fragments of whatever was attacked. He had troubled the House so repeatedly on all the stages of the Bill, that he did not feel himself justified in any longer intruding upon its indulgence. In conclusion, he declared most conscientiously, that he had done his duty. He had opposed it steadily and heartily, and it would be a consolation to him, for the few remaining years he had to live, to be able to reflect that he had offered to this dangerous and destructive measure, all the opposition that his humble abilities permitted him to exert.

Sir *Henry Bunbury* said, it was not his intention to waste the time of the House by dwelling on the general subject of Parliamentary Reform. Probably, every argument that could be employed to any useful purpose, had been urged in some or other of the innumerable writings and speeches which this exciting question had called forth in the course of the last fifty years. He should confine himself to matters which belonged properly to the present Bill: still it was difficult to argue on its necessity, its justice, or its fitness, without taking some review of the state of this kingdom before the present measure had been proposed, or without adverting to some circumstances which had attended its progress. Those few consistent Gentlemen who still contended that Parliamentary Reform was altogether unnecessary—that Reform, in any degree, ought to be resisted—appeared to him to have started from a fallacy: they assumed that the condition of the kingdom was safe and prosperous at the time when the present Ministers entered into office—accepting office under a distinct, though voluntary, pledge, that they would promote a Reform in the Representation of the people. Was it possible that these Gentlemen could have so soon forgotten what was the condition of England and of Ireland no longer ago than last November? The apprehensions of the country were very great at that time. Who would then have ventured to rise in that House, and say, that there was content or confidence in the country—that our condition was prosperous—that it was then safe? It was not that the fears of the people were thus excited by the atrocities of a few obscure incendiaries, or by the thoughtless excesses of mobs. In ordinary times, such excesses would have been crushed at once; the middle classes would have been as eager as the more wealthy to arrest the first blows aimed at the security of property; and the Government, strong in the union and sympathy of the enlightened and influential classes, might have lamented these outrages, but they would not have feared them. But the outrages of last winter were the symptoms of a disease, not the disease itself. The wretched condition of the farming labourers was the immediate cause, or, at least the occasion of those tumults. The inquirer was struck with the reluctance shown to act against these mobs. There was a pity approaching nearly to sympathy even among those whose property was the immediate object of attack; and as the inquiries extended, a wide-spread discontent might be traced through the middle classes—a spirit hostile to the executive Government, and deeply distrustful of the House of Commons. Misery had thrown the poor under the influence of demagogues, and had armed them against the rich; the middle classes, disgusted by long years of public extravagance, and by a neglect of their petitions, had begun to regard revolution with indifference, because Reform appeared to be unattainable. A great measure of conciliation, of wisdom, and of justice, was necessary to save the kingdom from anarchy, and its institutions from destruction. The late Cabinet was adverse to Reform; but it found, that the new House of Commons was inclined to favour some measure of that tendency, and it resigned. Their successors pledged themselves to Reform and retrenchment; and he avowed that they had won his confidence by the promptitude with which they had proceeded to redeem their pledges. Then came the present Bill, or, at least, one which was the same in its great principles. That first measure was frustrated by a motion, concocted with much ingenuity, and calculated at once to insult the Irish, and to deceive the English people. The consequence was a dissolution of the Parliament, an appeal to the sense of the nation; and his confidence in Ministers was greatly strengthened by the decided course they pursued when the trial of strength on General Gascoyne's motion had proved the impracticability of carrying through the House of Commons, as it was then composed, such a Reform as might be satisfactory and durable. When the present Parliament was assembled, and its thanks were voted to the Throne, he certainly gave his humble support to that vote on wider grounds than those of compliment or etiquette. He felt that their thanks were due to his Majesty, not merely for his gracious speech, but for the wise and beneficent tenor of his Government. He was grateful for the sanction which his Majesty had given to measures necessary for the present safety and the future welfare of the kingdom. He was grateful for that inflexible constancy of purpose, which was not to be turned aside by intrigues, and which proved, beyond all cavil, what were the sentiments of the British people on the question of Parliamentary Reform. When he had heard Gentlemen speak of that dissolution as of a measure not called for by circumstances, as a wanton exhibition of the royal prerogative, he had been astonished at the audacity of the censure. What! when his Majesty's Ministers had been defeated in that House—by a very small and vacillating majority, it was true, but still defeated—on the great question to which they had pledged themselves, and on which depended all their credit with the people, and all their power of rendering service to the King: what course was left open to them? Their only alternative was the resignation of their offices. But why were they to resign? Why were they to abandon their post, and betray their cause, enjoying, as they did, the confidence of their Sovereign, and backed, as they were, by the universal sentiments of the people? Were they to crouch before the clamour of parties, or prejudices, or private interests? Were they to earn for themselves contempt and remorse, by disappointing the dearest hopes of the people, and plunging their Sovereign into irremediable difficulties? He said, "irremediable difficulties," for who was bold enough to predict—who could contemplate without shuddering, what might have been the condition of this kingdom, if the Crown had been forced into an unnatural union with the interests of the few opposed to the interests of the many—into a coalition with parties in opposition to the fixed opinions and the intent desires of the British people? Who would venture on such a prediction? Yet predictions were not wanting. There were prophets in abundance—prophets of evil to spring out of rendering the practice of the Constitution consistent with its theory. Happily, these Gentlemen did not confine their predictions to those far-distant dangers which they fancied they descried through the long dim vista of their fears. They tried their infant art on events which were more near to their accomplishment. They foretold how the funds would crumble away, if this revolutionary scheme were even to be agitated—how public credit would wither before the blighting advent of Reform. And now, he asked, what was the value of funded property compared with what it had been immediately before Ministers showed that they were determined to persevere with their great measure? These prophets said next (but here some allowance ought to be made, for here "the wish was father to the thought") that the king would never consent to a dissolution of the Parliament. The answer was heard in the echoes of rage and disappointment which still hung upon those walls. Then the prophets foreboded, that if there were to be a dissolution, it would throw the whole country into the most dangerous disorder, that every election would be disgraced by riots, and by the outbreaking of that revolutionary spirit which their distempered fancy conjured up in every quarter. Were these forebodings verified by the events? What were the circumstances attending the elections? He would not speak of Scotland, for there the very rarity of any thing like a contest for popular rights seemed to have given occasion to a few disgraceful excesses, though no where of a revolutionary character, nor bespeaking a spirit hostile to the Constitution. But in England and in Ireland, had there been any unusual degree of turbulence? Were there any threatening movements of large bodies of the populace? Were the freeholders overawed by licentious mobs, or prevented from giving their suffrages freely and conscientiously? The appeal had been made, not to the populace, not even to that large body of men, in more easy circumstances, whom the Reform Bill would call into political efficiency—the appeal had been made, according to constitutional usage, to the ancient body of electors; and how did the freeholders answer the appeal? That the copyholders and householders should be anxious for the success of a measure, which would give them a share in the election of those by whom taxes were imposed would surprise no one; but why should the freeholders, who already possess the right of choosing their Representatives—why should they be anxious to admit other men to share in the privileges which they enjoy? Why, but because they had found that the old system had ceased to work well for the nation at large. They felt, that without a House of Commons which should truly and fairly represent the great mass of intelligent and independent men in this kingdom, there could be no security that financial or judicial, or any other Reform, would be allowed to endure, even after they might have been introduced by those very rare personages, reforming Ministers of the Crown. But it was hardly worth while now to argue on the necessity and propriety of some Reform, since so large a proportion of the Gentlemen opposite had come to admit that some Reform must be granted; and, between them all, there was now only a question of degree. The Gentlemen opposite would dole out the minimum; his party would give at once such a liberal portion as might satisfy the great majority of reasonable men. The large admissions which were now made, that some Reform must be conceded, were not very consistent with the oft-repeated assertion that the recent call for Reform was not real, that it did not spring from any rooted desire in the hearts of the people; that it was an ephemeral, a factitious cry, provoked by the present Ministers for a selfish purpose, or, stranger still, proceeding from a sudden freak of the contented Commons of England, to imitate the over-goaded people of Paris. And then they were told, there had been a cessation of petitions for Reform during several years; and that in the petitions of last year, the prevailing prayer was not so much for a Reform in the Representation, as for certain other objects with which that was coupled.

Why, even when it was pretended, that the petitioners had asked for a reduction of taxes, an alteration in the tithe-laws, and so forth, instead of asking solely for an amendment in the constitution of this House, what did this show, but that the petitioners had felt the pinching, some of one oppressive circumstance, some of another, but that they had all concentrated their hopes in Parliamentary Reform, as believing that a Reformed Parliament would remove or mitigate the evil of which each class of petitioners complained in particular? And now a few words on the argument founded on a temporary cessation of petitions. Did the right hon. Gentleman, with whom that argument originated, remember at what period it was, that the petitions ceased? It was when Mr. Canning succeeded to the power which had been exercised by Lord Castlereagh; when his right hon. friend opposite, the member for Tamworth, emptied the gaols which his predecessor, Lord Sidmouth, had left full of persons charged with political offences; when Mr. Canning burst asunder the shackles of the Holy Alliance; then it was, that the people of England caught a new hope, and believing that the Government was inspired by a more pure and more liberal spirit, they at once reposed on that hope, and they gave a large degree of confidence to the new Ministers. The Reform meetings ceased throughout the country; the public excitement, which had been lashed up to a very dangerous height, subsided; petitions and remonstrances were no longer addressed to Parliament, because the people had acquired fresh hope and fresh confidence. And this conduct on the part of the people, afforded a happy proof of their placability, their justice, their moderation; it afforded the strongest grounds for believing that the additional power which would be conferred on the people by the present Bill, would be received with gratitude, and exercised with discretion. He now came to the leading principles of the present Bill. In the first place it disfranchised a number of corrupt or dependent boroughs, at which the finger of public scorn had long been pointed, and it deprived certain wealthy individuals of the power of sending whom they pleased into that House to check or neutralize the will of the Commons of the realm. In the place of these nominees, it gave real representatives to the most wealthy towns, and the most populous parts of the country; it greatly enlarged the elective franchise, while it raised gradually the scale of qualification; it gave political weight to the various species of property which were diffused through this great kingdom; it gave political rights to every man of independent circumstances and presumed education; and it gave the guarantee of a million of voters for the future maintenance of good order and constitutional liberty. Gentlemen might call this a revolution if they pleased; for the oligarchist it might be revolution, for the nation it was a Reform. He admitted that it was a great and a most important change; but it was a change in unison with that which time had operated in the condition of society, and of this kingdom in particular; it was a change effected without shocks, and without disturbing the movement or weakening the springs of the Government; it was a change without the violation of any acknowledged principle. Several Members had professed the deepest alarm at the practical effects which they anticipated from this Bill. They talked loosely of its overturning the Church, of its extinguishing the Peerage, and rending the Crown from the brows of the Sovereign. Some of these gentlemen were grand assertors: it was as easy to predict the bursting of a world as of a bubble. Of course, when future events formed the subject of dispute, there could be no proofs; Gentlemen could argue only from precedents or analogies; but in the present case these also were wanting; and when they came to a mere conflict of conjectural opinions, the hon. Gentleman would permit him to observe, that at least they were in a minority; and when they charged their opponents in such bitter terms with departing wantonly from a shore of safety to plunge into a sea of dangers, they were bound to shew, not only that the sea on which they embarked was dangerous, but that the shore they left was safe. The principal argument that he had heard from the alarmists was nearly this: they said, that the degree of power which the Reform Bill conferred on the Commons, would be found in practice to be incompatible with the privileges of the Peers, and the salutary influence of the Crown. They argued that that House must outweigh and crush the other branches of the Constitution, because public opinion, running counter to the claims of the Aristocracy and of the Crown, would give continued impulse and irresistible weight to that branch of the Legislature. But here the whole question was assumed, and assumed without reasonable grounds. He might admit, that the current of public opinion had of late years taken a course adverse to many Administrations, and still more adverse to the pretensions, not of the Aristocracy, but of a small part of the Aristocracy—and why, but because those pretensions had encroached on the rights, and had injured the interests of the people? But why were they to conclude that public opinion would flow in the same channel when these encroachments were stayed, and these injuries redressed? What was public opinion? He presumed that Gentlemen did not mean to confound it with a mere popular cry. Was not public opinion an abstract of the sentiments which prevailed through the intelligent, educated, observant, reflecting classes of the community? And were Gentlemen prepared to pronounce these classes to be rash, unjust and unreasonable? Would they say that these classes were not only hostile to their political tenets, but hostile also to the principles of the Constitution? This would be indeed a fearful creed; but it was a creed which would leave no hope of safety even as they were now. But when they were looking forward to the practical effects of this Bill, it must not be forgotten that it gave to the intelligent and educated classes a share, an interest in the political welfare of the State; and that the practical effect must be, to attach all those valuable classes to the Constitution, and to the legislative body, whose constituents they would have become. It was pretended that this Bill was levelled at the Aristocracy; but it required no great discernment to see, that this wilful confounding of the Aristocracy with the owners of boroughs, was made not so much with the view of strengthening an argument in this House, as for the purpose of operating on fears and prejudices elsewhere. Ingenuity was racked to imagine possible results, which might affright the timid or irritate the proud. Even that eternal bugbear the first revolution of France, was not disdained as an auxiliary. But surely Gentlemen must have seen, even if they refused to the people of England all credit for good sense or public virtue, they must have seen in the more recent revolutions in Spain and Naples—aye, and in France itself—that the first French revolution was not regarded by the nations of Europe as an example for imitation. It had served, and it still served, as a dismal sea-mark, which warned men of dangers, and taught them to steer a safer course. But he asked, what would the hon. Gentlemen who laboured so zealously to defeat this Bill, what would they do if they were unhappily to succeed in obtaining so fearful a result? Did they fancy that it would be in their power to prop up an Anti-reform Cabinet? Or would they try to put forward one of those shadowy schemes of reluctant concession which had been darkly hinted at in the earlier part of these debates? Did they imagine that they could endow one of these bottled-up babes with life, and strength, and usefulness, and send it forth to be accepted by the people as the tutelary genius of Britain? Had they not learned from the last elections, that the nation was bent on obtaining a substanial, an effectual Reform; and that the nation already possessed, and was determined to exercise the power, of sending to that House so large a body of real representatives as must make it impossible for any Cabinet to carry on the machinery of Government while it denied effectual Reform to the nation. Whoever might be the Ministers of the Crown, the people would persevere—and they ought to persevere—in demanding a substantial Reform in the Representation. The longer their just demands were denied or evaded, the more general, the louder, and the more angry would be the voice of the people. He knew that it had been the fashion and the craft of modern times to affect to confound the people with the populace; to misrepresent those as hallooing with the mob who stood forward to advocate the rights of the people. He trusted that Parliament would never yield one iota to the clamours of a mob; but he trusted equally that no branch of the Legislature would ever venture to shut its ears to the just demands of the people. A concession to the opinions and the interests of the nation had become necessary; a timely concession would avert the dangers which might spring from despair, and the disgrace which would attend compulsion. At present Reform would be accepted with gratitude; hereafter it might be wrung from their reluctant hands with contempt. Holding these opinions, he thought that the course pursued by his Majesty's Ministers had been wise and prudent; and he believed that this great measure would in its results (for he dared not contemplate the possibility of its rejection either there or elsewhere) re-establish confidence, content, and good order through the land; that it would give stability to the Throne, and redeem for the two Houses of Parliament the affection of the people.

Debate adjourned until next day.

HOUSE OF LORDS,

Tuesday, September 20, 1831.

MINUTES.] Bills. Brought up from the Commons and read a first time; Surplus Ways and Means, and Administration of Justice (Ireland.) Read a second time; Waterloo Bridge New Street. Committed; Clare Presentment; Commissioners of Public Accounts (Ireland.) Read a third time; Public Works, England, and Turnpike Regulation.

Petitions presented. By Earl GREY, from Inhabitants of Ely, for Parliamentary Reform; from Shipowners, for an alteration in the Quarantine Laws; from Killarney and other places, for the abolition of Slavery; from Donegal and Galway, praying that Roman Catholics might participate in the Grants for Education; and from Waterford and other places, praying that the Yeomanry of Ireland might be disarmed. By the Duke of RICHMOND, from Mary Harfield, of Westbourne, Sussex, praying for an alteration in the law to enable persons who might have their Thrashing Machines broken, to recover the Value of the same from the Hundred.

PLURALITY OF BENEFICES BILL.] The Archbishop of *Canterbury* said, he would as briefly as possible state to their Lordships the substance of the Amendments which had been introduced into the Bill now before the House, in compliance with the suggestions which had been made on the report being brought up. As he understood many noble Lords thought that the powers given to the Primate of prescribing conditions in respect to residence, performance of duties, glebe houses pluralities, and of enforcing these measures by revocation of the license of dispensation, were too undefined and extensive, he proposed to expunge the clauses which referred to such powers, and instead of it, he proposed to substitute a single regulation, that every person obtaining a license or dispensation, shall be obliged to reside at least six months in every year, on such one of the two benefices holden together as shall contain the largest population, if required to do so by the Bishop of the diocese in which such benefice is situated, and that if he refuse to comply with the order, he may be proceeded against by such Bishop, as if he were non-resident, notwithstanding his residence on the other benefice. In this way the whole matter was left to the diocesan, who had also authority under the existing laws to provide for the repairs of the glebe house, and the performance of the spiritual duties of the several parishes. These powers could be hereafter extended, if they were found insufficient. Another amendment he had peculiar satisfaction in proposing was, the insertion of Trinity College, Dublin, after the Universities of Oxford, and Cambridge. The Degrees of this University had not hitherto been considered as qualifications for obtaining dispensations in England, but that privilege was due to an institution so important as a place of education. He moved, that the report be received.

Lord *Tenterden* moved, as an Amendment, that the words "forty-five" be substituted for the word "thirty," in the clause enacting that no clergyman shall hold two benefices at a greater distance than thirty miles from each other.

Their Lordships divided on the Amendment: Contents 12; Not Contents—53; Majority 41.

The Report received.

List of the CONTENTS.

Boston, Lord	Selkirk, Earl of
Bristol, Bishop of	Strangford, Viscount
Carnarvon, Earl of	Tenterden, Lord
Cork, Bishop of	Winchester, Bishop of
Cumberland, Duke of	Wynford, Lord
Eldon, Earl of	TELLER.
Orford, Earl of	Kenyon, Lord

BANKRUPTCY COURT BILL.] On the Motion that this Bill be re-committed,

Lord *Lyndhurst* said, that he felt it his duty, at this stage of the proceedings, to make a few observations upon the Bill which had been introduced by his noble and learned friend upon the Woolsack. Their Lordships would, no doubt, recollect, that this Bill had, on more than one occasion, been postponed by his noble and learned friend, with the assent of their Lordships, in consequence of his absence from town; and from this circumstance he felt that he should be wanting in respect to their Lordships if he were to allow this stage of the Bill to pass without making those observations which it had been understood that he desired to be afforded an opportunity of submitting to their Lordships. The observations which he had to make upon the Bill should be presented to their Lordships in a spirit of the utmost fairness and candour. It was impossible that this question could be considered as a party question. They had, all of them, one common interest in questions of this nature, and that common interest was, to render the administration of justice as pure and as efficient as possible. The present measure, he understood, was introduced on account of an alleged defect in the administration of justice, by the Commissioners of Bankrupts who were named in what was called the London List. That, he was informed, was the ground on which this Bill was founded and rested; and therefore he considered that it was impossible fairly to examine this subject without looking to the charges which had been so frequently urged against those respectable persons who filled the responsible situation of Commissioners of Bankrupts. In saying this, he did not advert to any thing which had passed in that or in the other House of Parliament on this subject; but it was a matter of notoriety, that at various public meetings, as well as in various publications, the gentlemen to whom he alluded had had their characters, as he considered it, most grossly misrepresented and calumniated. They had been charged with incapacity, with negligence,—with an undue anxiety for gain; they had been charged as being influenced not by an honest desire to perform their important duties, but merely by a selfish feeling for the accumulation of profit. It was, their Lordships knew, a very easy thing to run down, either in private or in public, the character of individuals, while it was extremely difficult to adduce evidence in favour of it on many occasions. But censures such as he had spoken of ought to be met and refuted, because the public were deeply interested in maintaining and asserting the purity of those who acted as legal functionaries. During the time that he had the honour of holding the Seals, which was about three years, he had had a full opportunity of witnessing and marking the character and conduct of these gentlemen; and he thought, looking to his experience, he might say, that the charges made against them were unfounded—that the charges so pertinaciously preferred against them were perfectly destitute of any foundation in fact. Amongst that body of men—and he spoke it of his own personal knowledge—there were individuals of great legal learning, of great literary attainments, of extensive general talents—men, whose public and private character would reflect credit on any station. And he might also say, with respect to the great body of those individuals, of the whole body, as a body, that they were well qualified by their knowledge, attainments, and experience, ably and faithfully to discharge the duties of their situation. He spoke from the experience of three years; but his noble and learned friend (the Earl of Eldon) could speak of the upright and honourable conduct of these gentlemen from an experience of a much longer date. What he had thus stated, he had stated merely from his own feeling, and without having had any communication with his noble and learned friend on the subject; but he felt confident that the experience of his noble and learned friend would induce him to concur in the justice of that which he (Lord Lyndhurst) had said. He was the more desirous of making this statement, and of appealing to the noble and learned Earl, in consequence of a reference which had been made by the noble and learned Lord on the Woolsack, to the decision which had been come to on a former occasion by the noble and learned Earl. He had stated then, and he would repeat, that the judgment alluded to by the noble Lord on the Woolsack related not to the individuals to whom this Bill more particularly referred, but to a very different body and description of persons; and he would not have alluded to this circumstance having before given the same explanation, if he had not seen that decision, in different publications, mentioned over and over again, and applied, not to the country Commissioners, but to the London Commissioners. Such had been the opinion of his noble and learned friend on the Woolsack, but it was an erroneous one; and if it were otherwise, the noble and learned Earl could set him right. If any doubt existed as to the conduct and persevering industry of the individuals—the Commissioners to whom he had referred and, if their Lordships were called on to meet the charges against these Commissioners fairly and satisfactorily, he would appeal to this fact—that, notwithstanding the great variety and importance of the decisions come to by those respectable individuals, on most difficult points of law, but a very small number of appeals had been made from their decisions, and still more, a very inconsiderable number of those decisions were reversed in the Courts where they were appealed from; he would point to this fact as a decisive proof, that they were perfectly capable of doing their duties in a praiseworthy manner. He rested on this statement as a decided answer to the calumnies that had been sent abroad against the Commissioners. He rested on it, as showing the great benefit which was derived from the manner in which these gentlemen discharged their duties, and as a most satisfactory and triumphant answer to the various attacks that had at different times been made upon them. It was important, on occasions of this kind, when so much defamation was thrown out in general terms—it was of importance, under such circumstances, to see whether they could collect from the charges themselves the causes which had led to them. There were two petitions on their Lordships' table with respect to the Commissioners. One of these petitions emanated from a body of persons who met to consider of the present state of the bankrupt laws, and also the manner in which those laws were administered; the second petition, which seemed to be an echo of the former, came from a number of the merchants of the city of London. He should say nothing of the language of the body who called and attended the first meeting; but he had heard from those who were present at it, that the grossest charges were made against the Commissioners. He looked, however, not to what might have been said at that meeting, but he would confine himself to the petition that was presented to their Lordships, for the purpose of showing what the nature of those charges was; and having done so, he confidently expected that he should be able to prove to their Lordships that those charges were not justifiable. It appeared that the petitioners had endeavoured to bring forward every thing they could against the conduct of the Commissioners; but, notwithstanding that feeling, the first charge which he found contained in this petition, referred not to them, but to the system. The petitioners alleged, that the tribunal was objectionable, inasmuch as it included fourteen different courts of judicature, and that the decisions of those who presided differed according to their peculiar ideas of the law. Now, he would appeal to his noble and learned friend, and to other noble and learned Lords who were present, to say, whether this charge was not, on the very face of it, deficient in truth, in justice, and even in probability. The rule of law as it respected bankruptcy cases, was to be found in certain Acts of Parliament; and it was with reference to these Acts, by which the judgment of the Commissioners must be guided, that they came to a decision on every case that came before them. But what followed? If the Commissioners departed from this rule, and proceeded contrary to the Act of Parliament, it became at once a proper ground of appeal. Now, he thought that the small number of appeals from their decision, to which he had before called the attention of their Lordships, afforded the most irrefragable proof that the charge of mal-administration of justice was utterly destitute of foundation. The next charge against the Commissioners,—and he conceived it to be a very grave charge, believing these individuals, or at least the greatest part of them, to be a very honourable body of men,—the next charge was, that they multiplied meetings for the purpose of increasing their emoluments. This charge was advanced, not as a doubtful matter, but as a thing of well-known and decided occurrence. It was thus asserted; but where were the facts? When men were charged with fraudulent and dishonest conduct, something explicit should be stated. Fraud and dishonesty were never to be supposed—they were things to be proved. The allegation ought to be clear. It ought to appear in decisive, distinct, and express terms. If a desire for the multiplication of fees were entertained by these gentlemen, it could only be gratified by the multiplication of private meetings. But he would aver, that no professional man could wish that private meetings should be multiplied. In those cases, the professional man was called from his own home, perhaps to a considerable distance, and at great inconvenience; and, after he had been engaged for many hours, what was his remuneration? Why, 1*l.* Such was the paltry pittance he received. Now, he would ask, supposing the strong feeling for gain to exist, whether this formed a sufficient, an adequate motive, to induce him to multiply meetings? But he would contrast this charge with the language which was made use of in the House of Commons when certain Members spoke on this subject. They were honourable persons; and the way in which they applied themselves to this point was consistent with their character. They objected to the mode in which the system was now conducted, because, they stated, that it gave rise, in the minds of illiberal persons, to the idea that meetings were improperly multiplied; but, at the same time, they, in language the most preciseand expressive, acquitted the Commissioners wholly and entirely of the charge, that they were actuated by the feelings which had been attributed to them with reference to the multiplication of meetings. The third charge was, that the Commissioners who composed this body, were persons inexperienced in the business, and unfit for the duties which they were intrusted to perform. Now, looking to these lists, he saw enough to enable him to contradict the assertion. He saw, amongst many other clever individuals therein named, a gentleman who was, he believed, a Member of the other House of Parliament, and who was highly distinguished by the extent and variety of his attainments. No person, under the mature age of thirty, was ever selected for the office; and he believed, that none were appointed to fill the situation who were not well able to discharge its duties. The next charge was that the Commissioners were not regular in their attendance. That was a charge so futile and so absurd, that he need say nothing about it to those who had at all investigated the subject. These were the charges made against the Commissioners, by individuals who wished to hold them up to public scorn, derision, and contempt; individuals who, he had no doubt, for some objects personal to themselves, had thus attacked the character of honourable men who had behaved well to their country, and had well discharged the duties which had been cast on them. He felt himself called on to say thus much in defence of gentlemen who had been thus unfairly assailed. Those gentlemen had acted under him when he held the Great Seal—he was a witness of their conduct and of their capacity—and he was sure, from all which he had observed, that the charges brought against them were ill founded. He should now proceed to make a few observations on the existing system. There were some advantages connected with the present system—he would say considerable advantages—which ought not to be left out of sight. There was no species of legal business that fluctuated more than that which was connected with bankruptcies. At one time there was a great accumulation of such cases, while at another there was little or nothing of the kind. The tribunal which at present existed was admirably calculated to meet that state of business. The Commissioners, when unemployed with bankruptcy cases, pursued their own ordinary avocations; but when an accumulation of bankruptcy business occurred, they were perfectly ready to discharge the necessary duty. There was, therefore, no delay in the administration of the law in this department, so far as the Commissioners were concerned. Upon that point he had no doubt whatever. Another advantage incidental to the present system was, that every individual suitor procured a decision at an extremely cheap rate. In other cases the suitor must employ counsel. But in the case of a Commission of Bankruptcy, the applicant was introduced to the Commissioners; and if he did not know what to do, the Commissioners instructed him, and directed him as to the legal form he must go through, without the charge of a single sixpence. If peculiar difficulties arose, then the Commissioners pointed out those difficulties, and for the first time the applicant was under the necessity of having additional legal advice. They had been told, over and over again, of the expense attending these bankrupt proceedings. It had been asserted, that estates were frequently sacrificed to meet the extravagant charges. Now he had taken some pains to inquire into this subject, and, as a practical contradiction of this outcry about expense, he would state, that in one list last year, sixty commissions were opened and worked, the whole business was transacted, all the meetings were regularly held, the proceedings were properly completed, and the dividend made; and what did their Lordships suppose was the per centage claimed on all the dividends made? Not one farthing in the pound, being considerably less than what was paid to a broker for his performance of duty in a single case. So much, then, for the expensive charges of the Commissioners, and for their habits of cupidity. It was but justice to state, that in many instances where the Commissioners took their fees, they did so that they might hand them over to some poor and destitute object. He did not mean to assert, that the present system might not be rendered more perfect. He had himself formerly proposed certain amendments. In some cases, where two Commissioners had been employed, it appeared to him, that one would have been sufficient; and he had also wished, that three Commissioners should assemble to decide on claims of disputed debts. He had been anxious to lower the number of the Commissioners, in order that the expense should be reduced as much as possible. He was also desirous, that two or three of the most experienced Commissioners should sit, from day to day, to attend to cases of great difficulty. He, however, postponed carrying his proposition into effect, for a reason which he should briefly state. The objection which had been raised did not much apply to the London, but to the country Commissioners; and he conceived, that he should have begun at the wrong end if he interfered with the London instead of the country Commissioners. He wished to proceed with the country Commissioners; and he was sorry that his noble and learned friend had not taken that course more decidedly. He did not mean to assert, though the complaints against the existing system were exaggerated, that therefore another and a better system might not be adopted. He did not mean to argue, that another judicial establishment might not effect the same object as beneficially as the present one did, or even more so. He, however, thought it better to adhere to the present system, at the same time considering how far it might, with benefit, be infringed on, and how far the evils which were complained of could be obviated. This was the course which he would recommend, unless, after looking carefully at the subject, it should appear, that the existing system did not admit of due amelioration and improvement. For his own part, he did not deem it advisable to resort to change, unless the plan proposed was demonstrably better than that which now existed. However plausible the alteration might appear, however well it might look in theory, they ought to proceed a great deal further, and consider how it was likely to operate in practice. Having said thus much of the Commissioners, and thus much of the system at present acted upon, he would now call the attention of the House to the proposition of his noble and learned friend. If, when he had stated his opinion, their Lordships were satisfied that the present system worked ill, if they believed the charges against the Commissioners, and if they thought that the measure proposed by his noble friend was likely to meet every objection, they would of course adopt it. But before they came to that resolution, he hoped that they would maturely consider the question. He would now proceed to examine the machinery of the proposed measure. His noble and learned friend wished, first of all, to have a Chief Judge or Commissioner, with a salary of 3,000*l.* a-year. To him he meant to add three other Judges, or Commissioners, each with a salary of 2,000*l.* a-year, and six other persons, under the head Commissioners, with a salary of 1,500*l.* each per annum. These were not Judges, who were to have other duties, and to perform other business; no, they were to be permanent Judges, holding their situations on the same footing as the Judges in Westminster-Hall. Here, then, were ten new Judges, with salaries amounting to 18,000*l.* a-year. They were only short by two of the number of Judges, who had, for more than a century, transacted all the common-law business in the Courts at Westminster. His noble and learned friend also proposed to appoint some subordinate officers, with a salary of 800*l.* a-year each; eight Deputy Registrars, with a salary of 600*l.* a-year each; and ten other officers; the whole annual expense being 6,400*l.* in this department. He here passed over the Secretary of Bankrupts and his clerks, appointments which also caused considerable expense. In addition, however, to this machinery, his noble and learned friend proposed also to appoint thirty other officers to be selected from the commercial class of society. His noble and learned friend had not stated what salary he meant to grant to these individuals; but it appeared, that they were to be paid as Commissioners, for deciding on particular cases that might occur in trade, and he could only guess at what they were to receive in the way of remuneration. On a former occasion, when his noble and learned friend opened his plan to their Lordships with so much clearness and perspicuity, he stated, that he meant to draw the officers to whom he (Lord Lyndhurst) alluded, from that class of persons who were in the habit of sitting on Special Juries. Now he (Lord Lyndhurst) knew something about that class of individuals, and he was well aware, that they were not disposed to work for nothing. His noble and learned friend must know, that where an arbitration was called for in the city of London, before gentlemen of this description, the charge was much larger generally than that which was made by the Commissioners. He did not state this as matter of reproach to these gentlemen. They were undoubtedly entitled to be rewarded for their labour and trouble, and therefore, he came to this result—that looking to the class of persons from whom those individuals were to be selected, it was impossible to suppose, that they could procure men of integrity and probity, unless at an expense of 700*l.* or 800*l.* a-year each, which would create a further expense of 8,000*l.* a-year. He did not mean to say, that for the due administration of justice, it would be improper to expend the gross sum of 40,000*l.* per annum. To effect such an object, that certainly was not too great an expense. But, at the same time, he thought, that a strong case should be made out to justify such a large expenditure of the public money. There was another consideration connected with this subject, and it was not, in his opinion, a matter of slight importance—he meant the extent of patronage which was attached to the measure. Here were at least fifty new officers to be appointed, in addition to the patronage already in the possession of the individual who, for the time being, held the Great Seal. This too, was done at a time when in every other department of the State patronage was diminished, not increased. So far as his noble and learned friend was concerned, he was sure that he cared not for patronage. Individuals out of office were very apt to attach much importance to patronage; they were very apt to believe that public men thought of nothing else. But he was certain that his noble and learned friend would agree with him, that patronage only added to the burthen and responsibility of office. He was quite convinced that the possession of patronage created more uneasiness and more unpleasantness of feeling than it ever communicated gratification or satisfaction. He believed that his noble and learned friend cared nothing about it; but still they must consider how the world would view such an accession of patronage; and what would be thought of the individual holding the Great Seal who had introduced a measure increasing his own patronage to such a great extent? It was no answer to say that seventy officers were removed, and that that removal only gave the right of appointment to fifty situations—because the former were appointments already made, the latter were appointments to be made hereafter. He confessed, after the best consideration which he could give to the proposed measure, it appeared to him that it possessed no advantage whatever over the existing system. On the contrary, it appeared to him that the new plan would work worse than the old. The duties of the Commissioners, as at present constituted, were very clear and simple. With very little exception, all those duties were of a Ministerial nature. But under his noble and learned friend's Bill the system was more complicated. Under his noble and learned friend's Bill, one of the new Judges was to decide whether a trader was or was not a bankrupt, whilst under the present system, three Commissioners sat for that purpose. Under the plan of his noble and learned friend, if the single Commissioner found a difficulty in deciding, that Commissioner might, he believed, call in the assistance of one or more Commissioners to aid in the adjudication. As the law was now constituted, three Commissioners decided this matter in the first intance, and he could not see why the three Commissioners, under the new Bill, should be better able to come to a proper decision than those on whom that duty now devolved. Then, if an individual were declared a bankrupt, under the existing law he had a right to appeal—to whom? Why, to the Vice-Chancellor, or to the Chancellor himself. When the person concerned appealed to the Vice-Chancellor, or to the Chancellor, every thing else gave way to his application; the case was heard, and decided promptly. And he would say, with reference to the present Vice-Chancellor, as well as to his predecessor, that no men were better calculated to give satisfaction to the suitor. But what did this Bill propose? Why, instead of an appeal to the Vice-Chancellor, or the Lord Chancellor, there was to be a Court of Review. He wished to know whether more reliance was likely to be placed on the decision of this Court of Review, than on the decision of the Vice-Chancellor? He considered the original tribunal—that which now existed—to be at least as good as that which his noble and learned friend proposed. As the law at present stood, a a man who was declared to have committed an act of bankruptcy might bring his action to decide whether such was or was not the case. This was a proper and necessary course; because the bankruptcy of a man was, in the first instance, founded on an *ex parte* statement, it was bottomed on evidence entirely bearing on one side, and given in his absence. But here he had the advantage of an appeal to a Court of Justice. It was tried before Judges of long experience, and the person seeking redress had the advantage of advocates who had long been devoted to the practice of the legal profession. Such was the law as it at present stood. But what had his noble friend substituted for this? Why, an *ex parte* proceeding. An issue of fact might, it appeared, be tried—before whom? Before a Judge of the Court of Review. But why a mere issue of fact? Why, if a man's property were likely by *ex parte* evidence to be taken from him, why should there not be, as there was now, an opportunity of trying an issue of fact and of law before one of the Judges in Westminster-hall? Why should this trial take place before the Court of Review? He wished it to be had before the Court of King's Bench. The experience of the Court of Review must, of necessity, be limited; and therefore he wished such cases to be tried before individuals who were hourly and daily engaged in administering the laws relating to property. The plan proposed in this instance by his noble and learned friend was, in his opinion not only not an improvement, but was a substitution of something infinitely worse than that which existed before. But there was another point well worthy of attention. A discretion was vested in the Judge of the Court of Review, whether he would try the case of appeal, as it might be called, or not. A pauper, without a sixpence in his pocket, might, in the ordinary Courts of Justice, have his case brought forward; but it appeared, according to this Bill, that an individual who wished to impugn, by an application to the Court of Review, the declaration that he was a bankrupt, could not proceed unless he gave security to pay the costs. Here was a man who, on an *ex parte* statement, was declared a bankrupt, and he was to be told, when he wanted to overturn the original proceeding, when he wished to try the validity of the charge of bankruptcy, that he could not do so without finding security for the payment of costs, he having been, in the first instance, deprived of his property. Here again he conceived that the Bill of his noble and learned friend did not operate any improvement whatever. Another circumstance to be considered was one which he ought to have mentioned before, but had forgotten it. The two main points to be adjudicated by the Commissioners were the bankruptcy and the proof of debts. He did not see how this could be better done by his system than it was done by the present Commissioners. Suppose a question of account to arise in a cause in the Court of King's Bench, what sort of persons would be there selected in order to settle the account? Precisely persons of the same description as the present Commissioners. Then, as to the final examination of the bankrupt. The present Commissioners were exactly the description of persons who were employed in the examination of witnesses in the Courts of Law; and here, again, the present system was not only as good as that which it was proposed to substitute for it, but better. Then he objected to this new system on another ground. The whole of the business which at present was done in the Vice-Chancellor's Court was to be done by this Court of Review, which was to be substituted for the Vice-Chancellor's Court. This was no improvement; the plan was inferior to the present system. Sir Samuel Romilly had often said that the best Judge to try questions, both law and fact, was that Judge most conversant with law and the rules of evidence, and most frequently employed in considering and deciding upon them. Now, in this view, the Vice-Chancellor was the preferable Judge, for what was it that was to be substituted for his tribunal? It was a Court of Review, consisting of three Judges, who were to sit not constantly, but *pro re nata*. Was there any necessity for the appointment of this new Court? There was no arrear in the bankruptcy cases. The Vice-Chancellor kept them all down, and there was no occasion for an inferior tribunal to do the business which he could do so much better. The Vice-Chancellor sat for thirty-five days in the year in bankruptcy, and in that time completely disposed of the bankrupt petitions. This Court was appointed for the whole year, and three Judges were to be employed throughout the year in doing that which the Vice-Chancellor did in thirty-five days. For a great part of the year, therefore, they would be altogether idle. There was another point which ought not to be omitted. The great evil complained of had no reference to the London Commissioners, but to the country Commissioners. And as the measure chiefly affected the London Commissioners, and interfered very little with the worst part of the system, he looked upon it to be extremely imperfect. It began at the wrong end. The great evil was to be found amongst the country Commissioners, and their efforts ought to be directed to the correction of the system in that respect. This was a subject of very great interest and importance. For many years his attention had been attracted to it. In touching upon it they ought to proceed with great caution and consideration, because it was a subject which was intimately mixed up with the law of debtor and creditor. He therefore recommended to his noble and learned friend, and he trusted that he would receive it as a recommendation, that the subject of this Bill, and the whole law of debtor and creditor, should be referred to a Special Committee of their Lordships' House. His noble and learned friend would have an opportunity of giving to that Committee the benefit of his intelligence and of his experience; and the other noble Law Lords would, he had no doubt, avail themselves of the same opportunity to perfect any plan that might be brought before them. By a calm and serious consideration of the subject, they might produce a plan which would be beneficial to the commercial world, and which would be more likely to give general satisfaction than that which had now been proposed.

The *Lord Chancellor* rose thus early, to make some observations in answer to the arguments of his noble and learned friend, and to explain the general nature of his system; and the reason was, that the speech of his noble and learned friend probably embodied all the objections to the Bill, and it was much easier to recollect them and deal with them than if he had to apply himself to the speeches of a great number of speakers. Nothing could be more candid than the spirit and temper with which his noble and learned friend had spoken. His noble and learned friend had well said, that this was not a party question, for it was one in which they were all equally concerned. The great question was, in what manner could the existing evils be best remedied, if evils there were. He fully admitted to his noble and learned friend, that the first question was, whether any evils did exist; and then they had to consider whether the proposed remedy was good and efficient for the purpose. He fully admitted that no change ought to be attempted without good reason and really substantial cause. If evils did not exist at all, or if they existed only in a small degree, then certainly the legislature ought to let well alone, or at most only modify the existing system, and do nothing more. His noble and learned friend had commented on the charges contained in two petitions, and the language in which they were conveyed. One of the petitions was from the Common Council of the City of London, and the other from the merchants, traders, and bankers assembled at the Mansion House. The latter of these petitions he himself had the honour to present to that House, and it had affixed to it the names of most of the distinguished bankers, merchants, and traders in London; and as to the complaints made by them, he might say, that they might be exceedingly good judges of the existing evils of the present system, which was nothing more than saying that they were exceedingly good judges of their own sufferings under the system. They were the best witnesses of the fact of the existence of the evils, since they were the parties who suffered by them; but it was possible that they might not be able to judge clearly and learnedly of the immediate causes of these evils, and still less of the proper remedy: he did not trust to them, therefore, as authority in regard to the remedy to be proposed, but he did consider them as good judges on the question, whether the existing system was a good one, and whether it wrought well. As to that remedy, he had not depended merely on his own experience, or his own reflections, but had had recourse to quarters the most distinguished for wisdom and learning, and long and extensive experience. He had had many interviews and consultations on the subject with those who were much wiser and more experienced than he was himself, and took their suggestions into account along with his own experience and knowledge. He had also availed himself of the assistance of six or seven of the most experienced of the existing Commissioners of Bankrupts, not certainly showing any indisposition to consult that very class of men against whom his noble and learned friend appeared to think that his system was levelled. He had shown no distrust of them, but had consulted the most sagacious and experienced of them, and laid his plan before them, and explained to them its general principles. By them his system had been examined and sifted, and he might say, unsparingly scrutinized. In some points he had yielded to them, and in others, where he thought he had himself greater experience, pertinent to the subject in hand, in a department of the law, he had not yielded to them. In this manner they had gone on, alternately yielding and resisting; and the result was, the formation of the first plan. That was not the plan now proposed to their Lordships. The plan now proposed had been the result of still further communication and consultation with others the most experienced in bankruptcy cases in the Courts of Law and Equity. This he had done before he had been intrusted with the Great Seal, and had continued the correspondence afterwards. Added to this, he had consulted with some of the most eminent Attornies and Solicitors, the most extensively experienced in matters of this nature, and from them he had obtained information as valuable as any that he had obtained from any quarter, especially in regard to the appointment of the official assignees, and as to the disposition of some assignees under the existing system to give preferences to creditors, and in other respects to act contrary to their duty. From them also he had obtained the most explicit and distinct information as to the frauds of assignees and solicitors. He had also consulted many of those who had signed the petitions at the Common Council and the Mansion House, and many other persons who had been the greatest sufferers from the present system, and upon the whole he had been enabled to frame a much more complete system than he had at first formed, and that more complete system was now under the consideration of their Lordships. He had made several changes in the details of the Bill, and had in every way endeavoured to make it better than it was at first: and the Commissioners appointed under the former Bill had carefully investigated every part of it, and made alterations wherever, upon the fullest consideration, they appeared to be necessary; and the result was, the improved Bill now before their Lordships, not differing, in any respect, however, from the principles of the other. His noble and learned friend would therefore perceive, that the Bill had not been inconsiderately introduced. The first of his noble friend's objections related to the attack which he said had been made upon the Commissioners of Bankruptcy. Now he (the Lord Chancellor) quite concurred in all that his noble friend had said in favour of those learned and respectable persons. In every thing that he himself had said respecting the necessity for that Bill, he had endeavoured to guard himself from the suspicion of making an attack upon them. What he objected to was, the system, of which the effects were, in the first place, to give less able Judges, and to render those less able Judges still less efficient for their duties. It was obviously difficult to find at any Bar seventy men fit to perform the duties of those Commissioners. It was also quite obvious, that the number being limited to ten, there could be little difficulty in securing high capability in each of them. Those Judges being so numerous, their appointment became, almost inevitably, a matter of mere patronage; the perfect competency of one individual out of seventy being considered, on every new appointment, as not a matter of very weighty importance. But if the Judges were limited to ten, the person having the appointment would be careful to select the most efficient he could find. He had known instances of the grossest incapability on the part of the London Commissioners, and when he inquired into one of those cases, he found that the two Commissioners who sat upon the occasion, were—one of them an Attorney, and the other a young gentleman not yet called to the Bar. The other two Commissioners, who were competent men, were not present. Still the majority of those Judges were much superior to what was to be expected from the natural tendency of the system under which they were appointed. His noble friend thought, that the fourteen lists were expedient, because they left room for the contraction or expansion of the numbers of attending Commissioners, according to the state of the business. But what else did this contraction and expansion mean, than that the number was much greater than was wanted? It meant that there were seventy Commissioners, and that there was no occasion for seventy. Under the hurricane of bankruptcy, and in the dead calm of stagnation of trade, the number of Commissioners was the same. In reply to the objection that the present Court was too expensive, his noble friend had stated, that sixty Commissions had been worked at an expense not exceeding one farthing in the pound sterling. But the person on whose authority that statement was made, admitted, in his examination by the Commissioners that it was founded in error, and was wholly inaccurate. In the different lists there were different rules. A person going into one room had one manner of justice dealt out to him, and going into the next, found quite a different plan in operation. It was well known, perhaps not to their Lordships, but to every attorney, merchant, and tradesman in London, and also to the House of Commons, that the chances of a fraudulent bankrupt's committal were very different in the different lists; and that one list committed more than all the others together. He did not mean to charge the Commissioners of that list with exceeding their duty; on the contrary, he thought that it might be better if there were more instances of committal in the other lists. In fact, those gentlemen were not protected in the exercise of their judgments like all other Judges. They were liable to an action of damages for false imprisonment, in the same way as common bailiffs were. The consequence was, that in some lists, the Commissioners shrunk from the responsibility of committal, and allowed the bankrupt to pass unpunished rather than risk an action for damages. One other important duty of those Judges was, to find the property of the bankrupt, to detect the fictitious creditor, and to defeat those who endeavour to make the Commission the means of defrauding the real creditor. The system under which those Courts were at present constituted prevented their being fit for that duty. It was well known to be one of the most difficult duties of the Judge or the Lawyer to search, and sift, and analyse the testimony of a dishonest witness. But he could name a score of those Commissioners who were wholly incapable of performing such a duty. He did not blame those gentlemen. The fault was not in them, but in the appointing of them. Many of them were boys taken from Westminster-hall almost the first day they entered it. The Bill before their Lordships would secure the appointment of Barristers of standing, experience, and character: who, being protected as Judges, would be competent to their duties, and would perform them efficiently. He no more blamed the present Commissioners for their inability to discharge their functions of Judges, than he would blame his noble and learned friend (Lord Lyndhurst) for his inability to play upon the fiddle, because he had not practised that art. His noble friend objected to the appointment of the official assignees, on the ground of their high salaries; but that part of the Bill was, in his opinion, the most valuable. There were, at present, some hundreds of thousands of pounds in the hands of assignees, of which not one shilling could be recovered, because the assignees had become bankrupts themselves, or had left the country. To remedy such evils, it was proposed to appoint assignees responsible to the Court, who should take possession of the funds of the bankrupt, not excluding his choice or that of his creditors, from the appointment of assignees, as usual, for the administration of his estate. As matters were managed at present, assignees were frequently known to put off as long as possible the winding up of the bankrupt's affairs, that the money might remain so long in their own hands. Therefore, when he (the Lord Chancellor) inquired into the sources of the clamour which had been raised against that Bill, he found that it came from the trading assignees, one or two attornies connected with the Bankruptcy Court, and one or two public accountants, for all those persons were immediately interested in upholding the present system. His noble friend spoke of the expensiveness of the system proposed by the new Bill. But the expense of that system would be no more than 48,000*l.*, whereas the present system cost between 70,000*l.* and 80,000*l.* As to the patronage also, his noble friend knew, that the Chancellor had the appointment of the present seventy Commissioners. Now, this Bill would reduce the patronage considerably, for, instead of seventy, he would have the appointment only of eleven Judges. The chances of new appointments were diminished much more than in proportion to that diminution of number. The present Commissioners had many openings for promotion, but the new ones would have no promotion before them, except to become one of the fifteen Judges of the Superior Courts. The vacancies that would be occasioned by such promotions were averaged too highly at one a year. They could not be more than one in two years. Besides, the Chancellor being obliged to make his choice from so small a circle, inasmuch as he must necessarily select a well-qualified barrister, could not in truth be said to have any patronage at all in the appointment. He would trouble their Lordships with a very few words respecting the charge made by his noble friend, that he was increasing, by the Bill before their Lordships, the patronage of the Chancellor—indeed his own personal patronage. Now, it was acknowledged that the retiring pension of the Lord Chancellor was taken very low, when it was made the same as that of the Chief Justice of the King's Bench—the expenses of the latter Judge being very little compared to those of the Chancellor, who was obliged to take an active part in the business of the State. Those expenses were especially heavy on a man who, like him, had never saved anything. Perhaps it was in consideration of those expenses, and the uncertain duration of the office, whereby the man holding was rendered less able to provide for his family, leaving him at the same time a title to support, that the Lord Chancellor had always in his gift several places with high salaries, which were mere sinecures, and by which he was enabled to provide for his family. One of those sinecures, worth about 9,000*l.* a-year, had been given by Lord Chancellor Thurlow to a member of his own family, and one of the family still held it. That it was a sinecure would readily be acknowledged, when it had actually been held by no less celebrated a person than Nell Gwynne. There were, besides, the office of Clerk of the Hanaper, and several others, absolute sinecures, which were always given to relations of the persons holding the Great Seal. Amongst those were the twenty-four Cursitors, some of whom received 2,000*l.* a-year, and the others from 150*l.* to 500*l.* a-year. Here, then, was a power of disposing of upwards of 20,000*l.* a-year, which he (Lord Brougham) had cut off for ever from the Great Seal. The Bill which he proposed might be a bad one. The present system for carrying the Bankruptcy Laws into effect might be excellent. The merchants, bankers, and traders of London, might all be mistaken respecting their own interests. He might have introduced the Bill without submitting it to any competent persons to give an opinion on the subject, to suggest an improvement, or to detect a fault; and the whole measure might be an example of imbecility and presumption. All that might be very true. But it could not be true that he had introduced the measure for the sake of increasing his own patronage, at the very moment that he was cutting from his family the rich provision which they might have found in those sinecures,—when he was depriving himself of all means of providing for them, while he was leaving them a title to support, except the retiring pension, which was less than half the emoluments of the profession which he had exchanged for the Great Seal. He would frankly confess, that whatever other faults he might have supposed his noble friend could attribute to him, he was not prepared to hear a charge of designing to increase the patronage of his office, and of himself personally. Not having been prepared for such an accusation, he trusted that their Lordships would make some allowance if he had not sufficiently repelled the charge. His noble friend approved of the present system, because it gave an appeal to the Vice Chancellor. But it was to be considered, that in the Court of Review, to which the Bill would give the appeal, there would be a Trial by Jury. Now, it was well known that the Court of Chancery was wholly unfit to deal with a question of disputed facts. He himself had found the difficulty of wading to the truth, through a mass of affidavits; for in that Court there was no end to swearing. He had himself seen no less than eighty affidavits of conflicting witnesses on a point of fact. After the first affidavit had been sworn, another was put in in reply, then there came one in rejoinder, and another in surrejoinder. In fact, in the Court of Chancery, there was no end of swearing; and perjury, delay, expense, and vexation, seemed to meet encouragement there. He therefore thought it advisable to take the investigation of disputed facts from the Vice Chancellor's Court, and leave it to a Jury. His noble and learned friend had spoken of the appeal to the Vice Chancellor, and of the manner in which it would be affected by this Bill—contending, that the system ought not to be disturbed; it was to be recollected, however, that the office of Vice Chancellor had only been created for a temporary purpose; that of getting rid of the arrear of business at that time before the Lord Chancellor: but it might so happen (he did not mean, of course, to say absolutely that it would happen) that the appointment of a Vice Chancellor might not be longer necessary, and in that case, what would become of the appeal? Of course it could no longer exist, and in that case the benefit of the change of the system would be fully experienced. Complaint had also been made with reference to country Commissions, and it was unquestionably a most objectionable part of the present system; but it was easily capable of some improvement, and the improvement now contemplated, would at least give to the country the advantages at present enjoyed by the commercial interest in London. The purpose now was, merely to apply the Bill upon the Table to the metropolis, and a district of twenty miles round it, and hereafter, as it was found to answer, it might be extended further; but the machinery was too complicated to be spread over a wider surface, until it was clearly found that it was well adapted to remedy prevailing defects. One of the consequences of the change would, perhaps, be, to lessen the number of bankruptcies, inasmuch as it would put an end to fraudulent, and sometimes to friendly, Commissions; if such were not found to be the result, it would be owing to the circumstance, that not a few who now were discharged under the Insolvent Act, with all its future liabilities, would then give a preference to the new Bankrupt Law, by which they would be freed from further responsibility to their creditors. At least such would, probably, be the effect with honest debtors, who were only anxious to give up the whole of their property to those to whom it justly belonged. Having troubled their Lordships with these remarks in explanation and vindication of the Bill, he would not occupy their attention longer.

The Earl of *Eldon* said, that in consequence of severe illness, he had been prevented from speaking upon this subject, when the matter was first brought forward. He had, however, observed, from the usual vehicles of intelligence, that the noble and learned Lord on the Woolsack had stated, that he had brought forward this Bill lest, if he had waited longer, like other persons who had gone into the Court with a determination to improve it, he should have found himself so hampered by a continuance in the abuses, as to be able to do nothing. He (the Earl of Eldon) thought it a duty to his country to say, that he would accept no such apology for his conduct. He knew well what had been the practice of the Court for many years before he became a Judge. He had practised long in the Court. It was his duty immediately to set about a correction of the abuses, if he believed them to exist. His opinion was, that such abuses did not exist. He did not doubt, that the noble and learned Lord had taken great pains with his Bill, and had made it as perfect as circumstances would allow, but the great point to be decided in the first instance was, whether it was necessary, and that question the House ought not to leave to the determination of any individual, however well qualified, but should institute a grave and patient inquiry into all the facts before a Committee of its own. The change was extensive and violent, and the least that could be expected was, that no means of acquiring information had been neglected. With respect to the Vice Chancellor's Court, he wished it to be understood, that that Court was not created at his suggestion, but at the suggestion of Lord Redesdale. He considered at the time that the establishment of that new Court would tend to produce difficulties; and he thought, that the opinion which he then entertained had been confirmed by experience. A great deal of misconception had gone abroad with regard to the expenses of the present system, and the exaggerations might be judged of from the mis-statements that from time to time had gone abroad, respecting the emoluments of the Keeper of the Great Seal. While he was in that situation, it had frequently been stated that the income of the Lord Chancellor was 30,000*l.* a-year; nay, some had gone so far as to assert that it was not less than 35,000*l.* a-year. The fact, however, was, as he had repeatedly stated, and shown by documents, that the average income of the Lord Chancellor, while he was in office, little exceeded 15,000*l.* a-year. Difficulties and doubts had arisen out of the fact, that part of the emoluments of the occupant of the Woolsack were derived from the payment of fees—an arrangement, he admitted, highly objectionable. It led to the suspicion that business was delayed or increased for the sake of the fees, and it would be far better that this part of his income should be put upon the same footing as that of the Chief Justices of the King's Bench and Common Pleas. Objections had also been taken to the amount of patronage possessed by the Lord Chancellor; but in this point he in some degree coincided with the noble and learned Lord, recollecting the very uncertain tenure of the office. The noble and learned Lord on the Woolsack was mistaken in supposing that Lord Thurlow had appointed any member of his family to the situation which had been formerly filled by the celebrated Nell Gwynne. The situation originally granted to that lady, had been afterwards granted, from time to time, to a family of great distinction in this country; until, upon its becoming vacant in Lord Thurlow's time, that noble Lord advised his Majesty not to fill it up. Upon Lord Thurlow retiring from office without a pension, his Majesty, in consideration of the eminent services of that noble Lord, granted a situation, by patent, to his nephew, who succeeded to the Peerage. The truth was, that the services of such a Judge could not be adequately compensated, especially by mere wages; and it was not fit, that after they quitted the Woolsack, that the Keepers of the Great Seal should be left in a state of destitution Upon this point he could say, that his own opinion was confirmed by the opinions of Lord Somers and Mr. Burke. After all his experience of the evils of unnecessary change, he must again enforce the necessity of patient inquiry by a Committee, before such a Bill as the present was adopted, or even entertained. It professed to prevent uncertainty, expense, and delay in the proceedings in bankruptcy, but from his experience, he was satisfied, that it would increase uncertainty, accumulate expense, and augment delay. He felt convinced that the change was needless, or even if a change were required, that now recommended from the Woolsack was not likely to be beneficial. He repeated his conviction that if this Bill were carried into effect, the delay and the expense would both be increased almost indefinitely. He objected to the proposition of appointing additional Judges in Westminster-hall, and must say, that the Commissioners of Bankruptcy had laboured under great embarrassment, in consequence of the contradictory decisions of the Judges with respect to their power of commitment. He was far from blaming that list which had been so much censured for its commitments, for he thought that it was the only list which had conscientiously discharged its duty. Notwithstanding what the noble and learned Lord had said about patronage, he could not but think that the patronage of the Chancellor would be increased—at least it would be increased at the present moment to a very great extent. There was another objection to the Bill. The persons to be appointed to these judicial offices in bankruptcy would all be Barristers. Now he thought that the distinction at present existing among the Commissioners ought to be maintained, and while he was in office he had always maintained it. He had always supplied the vacancy, created in consequence of the death or resignation of an attorney, by the appointment of an attorney; and the death or resignation of a Barrister, by the appointment of a Barrister. His reason for doing so was this, that though a portion of the office of Commissioner of Bankrupt was judicial, yet a portion of it also was Ministerial, and required, therefore, the peculiar knowledge and practice of an attorney for its proper discharge. This Bill, also, gave a preference to Common Lawyers, which he thought both unwise and improper. For the discharge of the duties of a Judge in Bankruptcy, the Equity Barristers were fitted by the peculiar nature of their practice. The chief discussions in bankruptcy turned on matters of equity, and, of course, those whose whole professional life had been directed to the consideration of such subjects, were the most fitted to decide upon them. He believed that the eminent persons who had presided in the Court of Chancery during the last 120 years, had entered upon the discharge of their duties in that Court with the firm determination to effect every improvement that could be effected in it; and as none of them had proposed, or recommended such a change as this, it was plain that it was not a species of change which they would be inclined to regard as an improvement. If the noble and learned Lord on the Woolsack would do him the justice to look over his judgments, and the orders which he had made on Acts of Parliament, he would see that, without altering the constitution of the Court, he had paid due attention to the interests of creditors; and he would say, that if creditors would not take as much care of themselves as the Court did, they should blame themselves, and not the

Court, for the consequences. Feeling as he did upon this subject, he thought that before their Lordships adopted any decisive measure, they ought to be well assured of the existence of the evil, and of the nature of the proposed remedy; and he, therefore, besought them not to be in a hurry to pass this Bill.

The *Lord Chancellor* said, that he thought the noble and learned Lord was somewhat mistaken on the question of qualification for the office of a Judge in Bankruptcy. The Bill gave no preference to Common Lawyers over Equity Lawyers—and he must be a bad Common Lawyer who wa not fit to sit as a Judge in Bankruptcy, for the Common-law was directly connected with nine-tenths of the matters that occurred in bankruptcy.

Report brought up.

Spring Guns Bill.] The Earl of Shaftesbury brought up the Report, and moved that the House do agree to the Amendments adopted in the Committee.

Lord *Wynford* said, that he found one of the clauses adopted in the Committee was, that any person should be at liberty to set spring-guns in his grounds upon obtaining the permission of one Magistrate. As a protection for game, he must distinctly declare it as his opinion, that spring-guns ought never to be used; but as a protection for property in barns, and stacks, and out-houses liable to the worst of depredations, he thought they might be properly employed. He believed if, used in that manner, that they would not only be beneficial to the individual whose property they protected, but to the country at large; and that for such a purpose no one would object to their partial introduction. But if the object to be attained was the protection of property, he thought it would be best effected by allowing the setting of spring-guns without an application even to one Magistrate, for such an application would, of course, direct attention to the applicant, and the depredators would be forewarned. He suggested, therefore, that the Amendment adopted last night in the Committee should be withdrawn.

Viscount *Melbourne* said, that more good was anticipated from the general terror, and the notion which the passing of such a Bill as this was calculated to disseminate throughout the country, than from the actual setting of the spring-guns themselves. He was of opinion, therefore, that this Bill should be passed as promptly, and with as little discussion as possible The precautions to which the learned Lord objected, as to the taking out of licenses under this Act, had been lessened from their amount in the original draft of the Bill. Instead of the authority of two Magistrates being necessary, as the clause now stood a license could be given by one Magistrate, and without the necessity of a public examination. It was considered, that this bad effect would arise from the public examination, that it might expose the Magistrate as an object of vengeance to those against whom those spring-guns were intended as a defence. The precautions in the clause, as it now stood, removed that inconvenience; and while they were sufficient to enable Magistrates to grant licenses in all cases where the setting of those guns was necessary, they at the same time afforded to Magistrates the power to refuse to grant such licenses in cases where no such necessity existed.

Report agreed to.

HOUSE OF COMMONS,

Tuesday, September 20, 1831.

Minutes.] Petitions presented. By Sir M. S. Stewart, from the Chairman and Secretary of the Renfrewshire Political Union, against some Clauses of the Scotch Reform Bill.

St. George's Church, Dublin.] Sir *John Newport* rose to move for a return of the expenditure connected with the erection of St. George's Church, in the parish of St. George, in the city of Dublin. The right hon. Baronet stated, that the original estimate for the erection of this Church was only 17,400*l.*; that, under votes of that House, 52,500*l.* had been, from time to time, expended upon it; that there was still a further debt due on the parish books for the finishing of this edifice; and that before that debt was discharged it was very likely that the total amount laid out on the erection of this single Church would amount to 100,000*l.* Under such circumstances, he was sure that the House would see that it was highly necessary and expedient that an inquiry should be instituted as to the manner in which so large a sum of money had been expended. The parishioners of St. George's were exposed, in order to defray the charge of this Church, to most severe exactions; last year a Committee had been appointed, which had examined the accounts of the Trustees, and had found them so badly arranged, that they had expressed their dissatisfaction. The consequence was, that the Trustees had closed their books, and refused all further examination into them. It had come to his knowledge, that a widow lady, with eleven children, had been served with a notice to pay up arrears of Church-rates for twenty-one years. The right hon. Baronet concluded by moving for a return of the several sums of money which had been expended by the Trustees of the parish of St. George, in the city of Dublin, for the erection, &c. of the Parish Church in that parish, since the period that the building of it had commenced, upon what authority such sums had been expended, &c. &c.

Mr. *Leader* seconded the Motion, and pressed upon the attention of the House the extravagant expenditure incurred for this Church.

Mr. *O'Connell* said, he had made a general assertion that no more than one year's arrears of Church-rates could be recovered, but with respect to what the hon. Baronet had said, respecting persons being called upon for twenty-one years' arrears of rate, he must be permitted to remark, that the parish of St. George, Dublin, was empowered, by a special Act of Parliament, to levy any amount of such arrears due.

Mr. *Lefroy* said, it was impossible to reply to statements made without notice, he should, therefore, content himself with remarking, that the expense of building this Church would fall almost exclusively upon Protestants, who were desirous the Church should be erected, and who were ready to pay for it.

Mr. *O'Connell* assured the hon. and learned Gentleman, there were many Catholics in the parish, who were equally liable to pay with the Protestant population.

Sir *John Newport* remarked, after the special case which he had stated of arrears being called for, which showed, that all the parishioners did not desire the expense, he was somewhat surprised at the hon. and learned Member's remarks, that the expense of building the Church would fall only on those who were willing to pay for it. He believed much of the evil must be attributed to the Vestry of St. George's parish being authorized to fill up vacancies in their own body as they occur.

Motion agreed to.

BRAZILS.] Mr. *Ewart* presented a Petition from Hugh James Sanderson, stating that a vessel of his had been seized by the Brazilian government in the year 1826, and though a decision was made in his favour, and confirmed after an appeal to the Emperor, yet he had obtained no redress; he prayed the House to adopt improved measures, similar to those enforced by France and the United States, for the protection of his Majesty's subjects.

Mr. *Littleton* said, the claimants on the Brazilian government were perfectly right in urging their case upon the attention of Government. The present petitioner had, it appeared, suffered considerably by the operations of the Brazilian squadron in the Rio De La Plata. He understood, too, that several of his constituents had suffered, and he trusted, therefore, that the noble Lord would forthwith enforce the claims of British subjects on the Brazilian government.

Mr. *Dixon* remarked, he had already on several occasions, endeavoured to excite attention to their claims, and if immediate steps were not taken to obtain justice, he should feel it his duty to move an Address to the Crown on the subject.

Petition to lie on the Table.

REGISTRATION OF DEEDS.] Mr. *John Campbell* brought in a Bill for establishing a General Registration of Deeds affecting all Real Property in England and Wales. [Bill read a first time.] The hon. Gentleman said, in moving that the Bill be read a second time, he should avail himself of the opportunity to make a very few remarks on its nature and tendency. It agreed substantially with the bill which he had the honour to introduce in the last Parliament upon the same subject. One clause had been since added to meet the objections of hon. Members who feared the private affairs of landed proprietors might be exposed. In his own opinion, this clause was unnecessary, because he believed, the better all matters relating to real property were known, the more advantage there would be to the owners. Besides, if impertinent curiosity was to be feared, how much could it be gratified by the examination of wills at Doctors' Commons, which any person could do by the payment of a shilling. A clause, however, had been inserted to obviate the supposed difficulty. When the former bill had been before the House, the noble member for Yorkshire had expressed a wish, as that county had a register, that it might be excluded from the operation of the present Bill; the same entreaties had been addressed to him by others, but after the most full consideration, he had considered it desirable to include that county. He should content himself with these few remarks at present, and begged leave to move, that the Bill be read a second time the 4th of October.

Mr. *O'Connell* said, he was convinced, from practical knowledge, that a greater benefit could not be conferred upon this country, than to establish a general registry, with regard to landed property. He concurred with the hon. and learned Gentleman who had introduced the measure, that publicity was not a good ground of objection. As it was not for the interest of the public that a tradesman could conceal his affairs, the same rule held good with respect to landed property, and it was more desirable that the public should have the means of ascertaining the validity of titles to such property. In consequence of the want of some general system of registration, great inconveniences prevailed, and the value of such property was, in many cases, much deteriorated. He thought, therefore, the prejudices that existed were unfounded. He had some experience of the working of such a system in Ireland, and it had improved the value of property by several years' purchase.

Mr. *Strickland* said, that there were points in the Bill to which he had considerable objections, especially as far as the county which he represented was concerned. He knew it had been stated by the hon. and learned Member, that the Yorkshire register was imperfect; he admitted that the indexes were so, but means were now in progress to improve them. When the measure had been first introduced, considerable sensation had been excited in consequence of its being supposed, that title deeds were to be deposited in this proposed general registry office. That had afterwards been explained, and it was now understood that copies only were to be registered. He believed even that was unnecessary; he thought to register memorials of them would be sufficient. He approved rather of local than general registers. Those of Yorkshire were maintained at a small expense, and yet answered the purpose perfectly well. He should, therefore, wish that county to be excluded from the operation of the Bill, however others might be dealt with.

Mr. *Slaney* said, he very much approved of the Bill, which, in his opinion, would much improve the value of land. It would increase the facilities of transfer—bring more land into the market, and furnish additional employment for the poorer classes. He believed that it would give a fresh stimulus to several national undertakings, such as the improvement of roads, the straightening of water-courses, &c. by allowing the exchange of land for such purposes, which was now extremely difficult in consequence of the complexity and confusion of titles. He thought his hon. and learned friend, who had brought the matter before the House, deserved the thanks of the community.

Mr. *Paget* said, he was decidedly of opinion, that every measure which would facilitate and simplify the transfer of landed property was of great advantage; he understood the Bill before them had this object in view, and should therefore, give it his decided support.

Mr. *Crampton* thought, that a general registry throughout the kingdom would tend to give stability to titles, and facility to purchases. In Ireland a registry had been found most useful in its operation. Without giving any opinion as to the machinery of the present Bill, he could not help saying, that his hon. and learned friend, in bringing this measure forward, was conferring a benefit on the country.

Mr. *Gore Langton* said, that as a large portion of his constituents were against the principle of the Bill, he should feel it to be his duty to give it his decided opposition.

Mr. *Jephson* thought, that the business of the registry office could not go on well, unless the greatest publicity was given to its proceedings.

Mr. *Hume* hoped, that ample opportunity would be given to discuss the principle of the measure, which had already been found to be extremely useful in Scotland and Ireland. He was convinced that if its principle was fully understood in the country, there would no longer be any opposition to it.

Mr. *John Smith* thought, that the effect of this registry would be to increase the value of property; and he trusted that his hon. and learned friend would persevere in the Bill.

Mr. *John Campbell* must be permitted to remark, in reply to the hon. member for Yorkshire, that if local registers were established, local practices would prevail in the different counties, which would lead to confusion. With regard to memorials, which the hon. Member thought might answer the purpose instead of the deeds being copied, it was found that the latter plan would be cheaper, because the former must be drawn up by a lawyer, while any law stationer could make copies. With respect to the general principle, he would only say, it was very remarkable that no county which had once adopted a register had ever laid it aside. He did not intend unduly to press the Bill forward, but he did not despair of seeing it pass into a law this Session.

Sir *John Sebright* expressed his entire approbation of the Bill. A measure of the kind he knew, from his own experience, connected as he was with landed property, to be necessary to preserve the value of that property.

Bill to be read a second time on the 4th of October.

STEAM BOATS.] Mr. Mostyn presented a Petition from Beaumaris respecting the loss of the Rothsay Castle steam-vessel, praying that a law should be passed prohibiting any vessel of that description from carrying passengers without being duly licensed, which license should be only granted or renewed upon a certificate from competent persons, that such vessel was sea-worthy.

Col. *Sibthorp* said, that when the Committee, of which he had the honour to be Chairman, should have presented its Report, it was his intention to bring in a Bill for the better regulation of Steamboats.

Mr. *Hume* was convinced, that no good would be done by the interference of the Legislature. If men were not careful of their lives, and neglected to make the necessary inquiries before embarking, he did not see what the Legislature could do. If they were to legislate on Steam-boats, he did not see why they should not be called upon to legislate respecting the safety of Stage-coaches, houses, &c.

Sir *Thomas Baring* was surprised at the statement of the hon. member for Middlesex, that the House ought not to pass any legislative measure, but to leave every person to take care of himself, and ascertain the security of the vessel in which he embarked. He would ask, how was that possible? The hon. member for Kerry who had so often occasion to pass the Channel, could best answer the question how it was possible to know the character of the vessels, and the persons that commanded them.

Mr. *O'Connell* said, the hon. Baronet had been rather unlucky in his reference. There were two classes of packets from Dublin to Liverpool, and he took care to embark in that class which had the best character. There was no comparison between the two; those which sailed to Liverpool, and belonged to individuals or companies, were excellently arranged; but from Dublin to Holyhead there was no competition, as all the packets were under the management of the Post-office, and they were deplorably bad. He trusted the Post Master General would see, that some improvement was made in that quarter, and not oblige passengers to go round by Liverpool.

Mr. *Hodges* thought that some regulation for preventing accidents was necessary.

Mr. *Henry Grattan* said, he had been informed by a former Mate of the Rothsay Castle, that four years ago it had been condemned as a vessel not seaworthy, and on that account had been taken off the high seas to ply on the coast, where less risk was apprehended. For his part, he generally took care to choose the safest vessel, and preferred coming by the Post-office packets, because there was a greater degree of security. He thought, that if a survey was made by some competent person, there would be less danger to the public.

Mr. Alderman *Venables* hoped the Committee would produce such a Report as would enable the House to agree to some legislative enactment, which might contribute to the safety of passengers. He was sure it must be satisfactory to the petitioners to know, that the measure was under consideration.

Mr. *C. W. Wynn* said, if a law was introduced upon such a subject, there was no reason why it should be limited to Steam-boats. The same argument which applied to Steam-vessels passing between Dublin and Liverpool would apply with equal force to the packets which sailed between Liverpool and New York. He believed the general impression was, that the packets from Liverpool to Dublin were insecure, and, therefore, that travellers went a longer way to reach their destination. He lamented the loss of the Rothsay Castle as much as any man. He believed it would only be reasonable to apply regulations to steam-vessels, as to every other mode of conveyance, and he, therefore, thought, the only legislative measure they could adopt was, to provide for the vessel's not being overloaded. But a previous inspection of the power of steam-boats, he did not think to be practicable.

Mr. *John Campbell* agreed with the hon. member for Middlesex, and thought the public ought to take care of themselves. He must decidedly enter his protest against legislating on the subject. If what the hon. member for Meath had stated could be verified, the proprietors of the Rothsay Castle ought to be indicted for manslaughter; for there could be no doubt that it was a crime to send a vessel to sea not sea-worthy.

Mr. *Warburton* also was against any legislative enactment, because it would afford the passengers no security, and would only lead to jobbing. When gas came first into use, some accidents happened, and he recollected a gallant General, now dead, proposed that a General Surveyor should be appointed, with a salary of 500*l.* a-year. If the same course were adopted regarding Steam-boats, they would have many Supervisors with such a salary, who, instead of attending really to the safety of the public, would be more anxious about projects of their own. Individuals must be left to their own discretion, and it was absurd to suppose, that the Legislature must provide the public with prudence. The Common Law was sufficient to guard against the evil.

Mr. *George Robinson* thought any discussion premature till the Report of the Committee was received.

Petition referred to the Select Committee on Steam Navigation.

THE DUCHESS OF KENT AND PRINCESS VICTORIA.] Mr. *Hunt* rose, for the purpose of asking a question of the noble Lord, the Chancellor of the Exchequer. A vast deal had been said in the public papers respecting the non-attendance of the Duchess of Kent and the Princess Victoria at the Coronation.

The *Speaker:* The hon. Member, in putting a question, must take care not to raise an argument upon it.

Mr. *Hunt:* With great submission to you, Sir, I hold, that I have a right to enter into an explanation of facts.

The *Speaker:* The hon. Member will see, that any explanation of facts is disorderly, inasmuch as it may create debate when there is no question before the House.

Mr. *Hunt* had heard a question put by Sir Richard Vyvyan, of which the preliminary statement lasted more than a quarter of an hour.

The *Speaker:* And the hon. Gentleman must have likewise heard the comments to which that breach of order gave rise.

Mr. *Hunt:* I really do not know how I am to put the question I have to ask. I hope I may be allowed to state my facts first, and to put my question upon them afterwards. It has been stated in the public papers, that the Duchess of Kent, and the Princess Victoria did not attend at the late Coronation. Various editorial arguments have been raised upon their non-attendance, into which it is not my intention to enter at present. These arguments in the Papers had led to divers attacks on the Duchess of Kent, and the young Princess, her daughter. Now, I think that the Princess Victoria, and her mother, the Duchess of Kent, ought to be protected from such attacks; and I, therefore, put a question to the noble Lord opposite, which, I trust, he will answer. Will the noble Lord, or any other of his Majesty's Ministers, be kind enough to state the reasons why the Duchess of Kent, and the Princess Victoria, did not attend at his Majesty's Coronation? I should have stated, that such and such reasons were given in the newspapers for their non-attendance, and should have asked whether those reasons were true or not, only I have been told that it is disorderly.

Lord *Althorp* replied, that great misrepresentations had appeared upon this subject in the newspapers. On hearing that the Coronation was announced for a certain day, her Royal Highness the Duchess of Kent stated, in a letter to his Majesty, the reasons which induced her to wish to be excused from attending on that occasion. Those reasons appeared satisfactory to his Majesty, and his Majesty had, in consequence, excused her attendance. It was not for him to enter into an explanation of the mistakes which had appeared on this subject—he would only say, that the statements to which the hon. member for Preston referred, were not consistent with fact.

Mr. *Croker* thought the question of the hon. member for Preston a most proper question, and all England would rejoice at its having elicited this official explanation.

Parliamentary Reform—Bill for England—Third Reading—Adjourned Debate.] Order of the Day for the third reading of the Reform Bill read. Question put, that this Bill do pass.

Mr. *Strutt* proceeded to address the House, and said, he thought it was his duty to state shortly, some of the reasons why he supported the Bill. He should betray the high trust reposed in him if he did not give the measure his warmest support. It was not all that could be wished, but it contained in itself so many good things, as to make it most acceptable to the whole nation. Whatever difference there might be as to its details amongst the Reformers, there were none as to the principle of the Bill, which was only to give the Representation of the people into their own hands. The public could no longer be deluded by any phrases of virtual Representation, or the natural influence of property; and the House, to retain its power, must become responsible to the people. The people wanted security for the good conduct of their Representatives, and they could have no security as long as the Members of that House bought their seats, or received them from Peers, though such Members might be persons of the strictest integrity. Those Members who sat there as representing their money, or patrons, possessed all the irresponsibility of the other House without its independence. Two objections had been urged against the Bill, viz., that sufficient talents would not find their way into the House, and that property would not be sufficiently protected. He would refute the first assertion, by stating, that the same persons, who, on that ground, opposed the Bill, alleged in the Committee, that the Aristocracy would be overborne by the new talents which the Bill would introduce into Parliament. He believed that talents would find their way into the House, and he also believed, that under every system of Representation, the House would always possess a great and a sufficient number of men of talents. He knew not why the owners of boroughs arrogated to themselves the exclusive ability to find out genius in the country, and the exclusive ability to govern the whole nation. The people desired, however, that the talents in that House should be employed in their service, and not in aggrandizing a class, or promoting the superiority of a few. As to the influence of property, if it were meant, that property, separate from character, was to have influence over the voters—if property exclusively was to persuade and govern them —he should object to the Bill, that mere property would receive under it too much influence. Whenever wealth was united to great talents and great virtue, it would, indeed, command great respect, and render its owner more useful, more happy, more powerful, and more influential. Such influence was not to be increased by giving the owners of property an influence over voters, but by allowing the voters to exercise their rights in a conscientious manner. It had been stated, that the present Constitution worked well, and that no objection could be made to its effects, which were described as most splendid; but he must assert, that the evils of misgovernment were glaringly apparent in this country, and constituted those great practical grievances, which had given rise to the demand for Reform. He would not renew all the Debates of the last fifty years, on all sorts of subjects, to exemplify this view; but it was a fact, that frequent wars, great national burthens, and other evils, had made the people aware of the want of Reform; and the result had shown itself at the last election. One duty of Government was, to instruct the people, and to provide suitable establishments for their education. It was essential to the welfare of society that the people should acquire political knowledge, but that House — and he quoted this as a decisive proof against the system—had resolutely opposed the education of the people, and had even prevented them from getting knowledge, by stamps on newspapers, and other means devised for the purpose of keeping papers and books from the hands of the poor. And now, when the people demanded Reform, the opponents of the measure said, that the people were unfit for freedom, thus making the ignorance they had caused, if it existed, the excuse for continuing their own wrong. He denied, however, that the people were so ignorant as was supposed; and the means of making them acquire political knowledge, was to give them political rights. They would then have motives to instruct themselves, and the Legislature, as well as the candidates for their suffrages, would have motives to enlighten and instruct them. While seats could be purchased, it was of no consequence to those who sat in Parliament what the people thought. But do away with such means of getting into Parliament, allow the Representatives to appeal only to the people, and the strongest motives would exist to teach the people sound knowledge. If Reform had been earlier carried, an earlier triumph would have been obtained for civil and religious liberty. It was also objected to the Bill, that if political power were given to the people, they would destroy the other two branches of the Legislature. That was a favourite topic with the member for Thetford, and, therefore, he was surprised, that the hon. Gentleman should, last night, have allowed that the English people were great King-lovers. The hon. Member, however, seemed to confound loyalty to the King with respect for rotten boroughs and boroughmongers; and he argued, that if the latter were destroyed, disloyalty would be the consequence. Such an assumption was not new. This very argument had been used as an objection to the Bill for a Reform in Parliament, which Earl Grey had introduced forty years ago. It was said, that a House of Commons so chosen as to be a complete Representative of the people, would be too powerful for the House of Lords, and even for the King—that it would abolish the one, and dismiss the other. To this Mr. Fox very pointedly answered, "If the King and the House of Lords were unnecessary and useless branches of the Constitution, let them be dismissed and abolished, for the people were not made for them, but they for the people. If, on the contrary, the King and the House of Lords were felt and believed by the people, as he was confident they were, to be not only useful but essential parts of the Constitution, a House of Commons freely chosen by, and speaking the sentiments of, the people, would cherish and protect both within the bounds which the Constitution had assigned them."* Much had been said of the use of inflammatory language, but he could conceive no language more inflammatory, than that which asserted, that for the middle classes to have power would necessarily lead to the subversion of the Throne and the Peerage, because they were completely odious to the public at large. The assumption, however, would not avail those who made it. All power depended on public opinion, and if these bodies were so odious, then were we on the brink of a Revolution, and the destruction of these bodies could not be averted. It would be, in that case, the business of that House to examine, if they ought to accelerate, or were able to retard, that looked-for event. It was especially worthy of their consideration, whether they should not hasten that consummation by rejecting the present Bill. But he had no apprehensions that this Bill would be rejected, or that the people would destroy the monarchy. He trusted in the people, and he believed that, with this measure, they would be satisfied, because it gave them an interest in the country, and assured them a responsible Government. All that they wanted was security for equal laws and good government, and he felt that if this Bill, which would give them that security, received the sanction of Parliament, it would be received by them with gratitude, and exercised with discretion.

Mr. *Baring Wall* said, the awful crisis in which the country was placed, and the important bearings of the question, must plead his excuse for troubling the House. Before he proceeded to make any observations on the question, he wished to congratulate the Gentlemen who supported the Government on the embargo being at length taken off their tongues, that the system of reciprocity was introduced, and free discussion at length again restored. It was a curious circumstance, that in all the discussions the Bill had never been defended *per se*. "Take it with all its imperfections is the language of its supporters, for no other Bill is before you." The same argument was used with respect to the Government. "Support the Administration, for it will be so difficult to form another." The Bill and the Government were taken, because no other Bill and no other Government could be found. Neither, however, was supported because it was good in itself. The Ministers appeared now frightened by their own measure. They had laid down as a principle, that population and property should be represented, and then denied Representatives to Chelsea, and gave them to Marylabone. If they were not frightened, why should they have refused to Bradford and Trowbridge in the county of Wilts, the franchise which they had given, for sundry wise and excellent reasons, to Workington and Whitehaven, in the county of Cumberland? He did not think the Bill would be a final settlement, and he could not believe, that anybody who looked at the returns on the Table, could for one moment suppose, that it would be a final settlement. The noble Lord said, he wanted it only to be final as long as the people were satisfied; but how long was that to be? At what period were they to rejudge this Bill? The blessings of stability, and the evils of change had not been sufficiently dwelt upon. The noble Lord must not only make a new Constitution, but a new moral world for it to work in. He must make new interests, new habits, and new influences. The law of primogeniture must be revised, and those

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* Hansard's Parl. Hist. vol. xxx, p. 921.

> "Large-acred men,
> Lords of fat Evesham or of Lincoln Fen,"

must be got rid of. What was the duty of a Government? To allay irritation, to conciliate interests. What had been the conduct of this Government? To excite and agitate from one end of the country to the other. It was a great evil, that the measure should be carried against the feelings of the property of the country. The Government had separated itself from all the moderate Reformers, who were, in consequence, obliged to throw themselves into the arms of the Tories. After the Bill was passed, the Government would be embarrassed by its present friends. He did not wish to say any thing personally offensive; but as the divisions of the House had been analysed every day, and as their names had been printed in red and black letters, to render one party the object of popular applause, and the other the object of popular obloquy, he thought that he might be permitted to say, without offence, that if the Ministerial majorities were analysed, many Gentlemen would be found in them, who had a direct interest in carrying the Bill. Among those Gentlemen were many Dissenters, and he might refer to them without any imputation of illiberality, for he had always voted for Catholic Emancipation and the repeal of the Test and Corporation Acts. The Dissenters had an interest in passing the Bill, and so thought the inhabitants of the North of Ireland, for they had sent to that House a majority of Members to support the Bill. Among the Members opposite were also several Gentlemen holding office, whose interest was bound up with the continuance of the Ministers in power, and they had an interest in supporting them. He would balance the boroughmongers, as they were called, on the Opposition side of the House, against the Dissenters and the dependents on the Government on the other, and then he thought the majority would not tower so magnificently above the minority in independence as it at present appeared to do. To be sure, there were no more parasites; according to the Gentlemen opposite, they all died out with the last Government. The cry out of doors was, that this Bill would put an end to the Aristocracy; but, in fact, it would create an oligarchy, and give a legal existence to the very body which it was said to be the wish to reduce. The present advantage of the Aristocracy was, that it was not confined to any class, nor limited to any description of persons; wealth, talents, abilities, all made individuals members of the Aristocracy. There was no law to compel them to enrol their patents. The Aristocracy of England pervaded all things. There were not 100, nor any other limited number of Lords; but by this Bill there would be seven or eight such Lords created, and that number would be limited. The hon. member for Tavistock (Mr. Hawkins) had last night spoken much of the anomalies of the present system, and then, much to his surprise, the hon. Member had defended the 10*l.* clause, and held it up to admiration, as being itself anomalous. He knew that there were anomalies in this clause—that there was a great difference between the 10*l.* householders of Cornwall and Yorkshire and those of London, and he wished he could bring a cargo of the former to London, to show them what the 10*l.* householders of the alleys of Billingsgate and Wapping were. He could have no hope of influencing the majority of that House, and he wished, therefore, to address himself to the people out of doors. When they talked of the influence and corruption of the Borough system, the people seemed to forget that they themselves were the chief supporters of it. Trading politicians were not numerous—there were few great men and few great fortunes. They might, in the decline of life, get a Peerage or Garter; but it was the constituents who lived upon the Customs and Excise—the middle orders—those pure uncompromising Reformers. Some Members of Parliament, and some of the Aristocracy might now and then make a fortune; but if they examined the list of the placemen and men who had risen to high office during the last century, they would find them all sprung from the middle classes, and not men of aristocratic blood. Let the House look at the three eminent individuals who in our time had been, or now were, Lord Chancellors. They had all sprung from the people. Again, look to the list of the Attorney-generals during the last fifty years, and it would be found that not above one of them had been a member of the Aristocracy. He found among them the names of Kenyon, Pepper Arden, Scott, Mitford, Law, Percival, Pigott, Gibbs, Garrow, Gifford, and all of whom made their way up to honours and distinction. The people were finding fault with their own triumph, and grumbling at their own success. They reached the highest honours of the State, and they were not contented. Let the House look again at the Church. The majority of the highest situations were filled by men sprung from the middle classes. Much had been said in the course of the debates about the number of great names which were to be found as the supporters of the Bill; and among others, it was observed, that had Mr. Canning lived, he too would have seen the necessity of giving way to the altered circumstances of the time. In his opinion, Mr. Canning would have seen additional reason to persevere in his original principles; and he must observe, it was much easier to say that Mr. Canning would have been a convert to the new light, than to believe it. How did the authorities in other respects stand in favour of the Bill? He would say, that the best writer in favour of the Bill was the Editor of *The Times*, and that the best speaker in support of it had been the member for Calne (Mr. Macaulay), who had applied his arguments solely to the effects which the measure was likely to produce in the event of its passing into a law. The only authority, strictly speaking, in favour of the change, among those who professed to be well versed in the history of the Constitution, was the right hon. and learned member for Knaresborough (Sir James Mackintosh), who, it was well known to every one in that House, would have voted for either side if circumstances required it. Looking to others who were not Members of that House, he found that great constitutional writer, Mr. Hallam, the most eminent man in England in that peculiar branch of literature, decidedly opposed to the Bill, while Mr. Palgrave, the most distinguished antiquary, had expressed, in a manner strong but peculiar, his sense of the danger with which it threatened us. Looking, indeed, at the Bill itself, and the circumstances under which they were called on to consent to such a great constitutional change, he must say, that it was the boldest leap in the dark ever taken by the people of any country of which history bears record. The liberal and enlightened men of other countries viewed the Bill with as much apprehension as those of the same class in this country. He had conversed with many Americans, and they all, including that distinguished man, whose retirement from a diplomatic situation was so great a loss to his country (Mr. Washington Irving), agreed in considering that the measure now before the House would be injurious to the liberties of England. Under the same impression he was anxious to record his opinion of the Bill, and it was with pain he declared it as his conviction, though some might deem the prophecy rash, that the future historian must, from the day that it passed into a law, date the downfall of the British Constitution.

Mr. *Frederick Villiers* said, it was not from taking less interest than others in the important measure now in agitation, that he had, up to the present moment, abstained from taking part in the debates. Independently of his being well aware that his Majesty's Ministers, and their friends and supporters, were most anxious that no unnecessary obstruction should be offered to the progress of the Bill, he felt that it would have been highly imprudent and improper for so inexperienced a Member as himself to occupy the time of the Committee while there were so many hon. Members, more experienced and far abler, anxious to explain their views—from whose discourse, and from the development of whose opinions, the Committee would not fail to derive far greater benefit than from any thing his humble abilities could offer. But since he found, that silence on this important measure was liable to be ascribed to indifference to the success of this Bill, rather than to that diffidence which a new Member felt in offering himself to the House, he was compelled to overcome his scruples, and to beg the attention of the House for a very few moments. The observations which he was about to offer to the House on some of the clauses of this Bill had suggested themselves to him on his first perusal of it, but he thought it would be presumption to state them, until he had endeavoured, by a close and anxious attention to the debates of the Committee, to profit by the views and opinions of other hon. Members. He regretted to say, that while several of his objections had been removed by the explanations which were offered of them in the Committee, some few still remained. He was sorry to observe, in the preamble of the Bill, a most objectionable passage. By all those who were acquainted with the object and the importance of the preamble of statutes, it would be readily admitted that too great care and attention could not be bestowed, either upon the substance or upon the language employed, in this portion of a statute. It was to the preamble that recourse must be had in order to explain any discrepancy that might arise in the construction of apparently contradictory clauses contained in the statute. The intention of the legislator—the spirit in which the statute was to be construed, must be looked for in the preamble. He was surprised to find in the preamble of this Bill some expressions highly condemnatory of the composition of this and preceding Parliaments. It was there stated that "great and divers abuses have long prevailed in the choice of Members to serve in Parliament." The plain meaning of these words was, that there were hon. Members sitting in that House, and that there were hon. Members in preceding Parliaments, who had not been elected according to law. He deemed it highly improper, and highly derogatory from the dignity of that House, to place any resolutions upon its records at all calculated to diminish the respect due to its authority, or to weaken the sanction which ought to attach to its proceedings, by declaring that and preceding Parliaments to have been illegally constituted (for such was the import of the words). If this and preceding Parliaments were unconstitutional; if they contained, or this contained, within its precincts, hon. Members elected only in virtue of abuses, they had no right to expect that their resolutions and the Acts made by them, should be regarded with that reverence, and with that veneration which were so essential to their operation. He foresaw that advantage might be taken of this declaration, to call in question the legality of many contracts founded on the decision of that House. The preamble of this Bill furnished the enemies of existing institutions and vested rights with a fresh weapon for attacking, with a new arm for destroying, the most solemn contracts. Already a general outcry was heard against every institution whose existence dated from beyond yesterday. Already was the expediency of preserving faith in the most solemn engagements, even in those with the public creditor, called in question:—and should they now, by admitting that they had Members among them whose presence was owing entirely to the existence of abuses, authorize the real enemies of the State to agitate the question of the original legality of the Acts which had hitherto been obeyed as laws of the land? It would be difficult for hon. Members, in future Parliaments, to demand a rigid adherence to laws and contracts enacted and entered into by Parliaments which stood self-condemned and stigmatized as illegally composed—on their own records. He could not but ascribe great blame to the Committee for having sanctioned the insertion of any such censure. It would have been easy for them to state—that in order to keep pace with the improved intellect of the people, alterations were to be made in the manner of electing Members to serve in future Parliaments—without placing anything on the records of that House which might be made use of to invalidate the authority that ought to attach to its proceedings. Nor had the discourses delivered in that House, or the opinions expressed by the friends and supporters of this measure, been at all calculated to diminish or soften down the evil consequences arising from the insertion of this ill-judged censure on themselves and their predecessors. Hon. Members had daily inveighed against the composition and legality of that assembly—they had strained every nerve to convince the people that there had been no Parliament chosen according to law; thus endeavouring, in the most imprudent manner, to unsettle all the foundations of political society. But if Parliament had been elected, and existed only in violation of the laws, how could they demand that its enactments should be held inviolate? How could they give efficiency to their measures if they proclaimed themselves not to be the representatives of the people, while they arrogated to themselves the power of determining on a form of government for them, which they maintained was to be unalterable? They could require for their laws only the same degree of respect which attached to themselves as a body. Yet, day after day were those who called themselves friends—night after night were they themselves—dinning into the ears of the people the story of their unworthiness. The tide of popular feeling was running high in favour of political Reform, and needed not these inflammatory discourses to increase its violence. There did exist a steady increasing demand for a wholesome change in the Constitution—not factious, not ephemeral, not proceeding from the love of change, nor from a fleeting, feverish desire of political experiment—nor was this wish for the amelioration of existing institutions momentary. The inclinations of the people had been gradually led towards it: time had made them sensible of the inefficacy of the established laws for the purpose of which they had been originally framed; able writers and orators had publicly stated the errors and inconveniences of the old system—had enforced the necessity of adopting a more advantageous one; the public wishes had fortunately met with a Ministry anxious and able to overcome the obstacles which always attended political change, and they had the prospect of obtaining, quietly and securely, the result of their earnest and long cherished hopes. He trusted, that the objections he had taken to the preamble would not be regarded by the friends and supporters of this Bill as offering any opposition to the operative clauses contained in it. The Bill would be equally, effective, the provisions in favour of the people equally valid, were the objectionable passage to which he had alluded entirely omitted. And he must say, that it did appear to him to be very unwise, and extremely imprudent, that a measure of this importance—a measure destined to be the basis of their future political existence—should be accompanied by the recorded confession of those engaged in framing it, that they were not a Parliament assembled together according to law—that the authority they were exercising was not due to them as a legitimately elected body, but was a mere usurpation of the rights of the people. It was not his intention to occupy the time of the House, by stating all the objections he had taken to different clauses of the Bill, most of which objections, he was happy to say, were removed by the discussions in the Committee. But there was one clause so important—a clause which appeared to him so pregnant with mischief—that he felt himself called upon to state, publicly, his disapprobation of it—he meant the clause relating to the division of counties. He did perfect justice to the motives which swayed his Majesty's Ministers in proposing this clause. It was distinctly stated by the noble Lord, the Chancellor of the Exchequer, that this clause was inserted in favour of the Aristocracy, as a counterpoise to the additional influence given by the Bill to the trading and manufacturing interests. This declaration of the noble Lord afforded him (Mr. Villiers) the greatest pleasure—it was a full and sufficient answer to the assertions made by hon. Members on the other side, that his Majesty's Ministers had wilfully and designedly neglected the landed interests in the Bill. He differed, however, totally from the noble Lord in the belief that this clause would have the effect he intended it should have. In his humble opinion, it would have a totally opposite effect to that which he ascribed to it. In the first place, there were very few counties which did not contain some large manufacturing or trading town: it was clear, that the election of the division of the county in which this town was situated would be determined chiefly by the votes—the freehold votes—of that town; nor was it to be expected that they, whose interests were opposed to the landed interests, would return any Member who was inclined to further the interests of the Aristocracy. The Member for that division of Yorkshire in which Leeds was situated, would not represent the landholders of that part of the county; he would owe his return to the freeholders of Leeds, Halifax, and other great towns; and, of course, would be in their interests. In Norfolk, in Lancaster, and in Warwickshire, the same occurrence would take place. Those divisions of the several counties in which Norwich, Manchester, and Birmingham were respectively situated, would, of course, be represented by individuals owing their return entirely to the influence of those towns. In fact, great part of those county Members would be entirely in the interest, and under the control of great towns. In all divisions, on questions involving the conflicting interests of the democracy and aristocracy, they would assuredly be found voting on the democratic side; they would also acquire an influence beyond their mere votes. Passing under the appellation of county Members, their adhesion to the democratic side of a question would make it appear as if part of the Representatives of the landed interests approved of any measure they might advocate. Thus the apparent augmentation of the number of Representatives granted to the Aristocracy was undoubtedly fallacious. But there was a still greater evil resulting from that pernicious clause; hitherto, the power and influence of the aristocracy in that House had not been owing to the mere numerical advantage they possessed over the democracy. There had always been greater value and more importance attached to the opinions and vote of a Member representing an extensive and wealthy body of men, than to the vote of a Member returned by a few constituents only. Greater deference, greater respect was mutually and willingly paid to the vote of the Representative of so powerful a body as the united freeholders of a county. As a body, those freeholders were more numerous than the constituents of the Representatives of cities or boroughs; their property generally much greater, and of a more fixed and unchangeable nature; they were well and properly believed to have a greater stake in the welfare of the country. The county Representatives derived great consideration from these circumstances; they partook of the respect due to their constituents; and when, on a division, the trading interests had a majority, this was considered to be more than counterbalanced by the superior weight and importance of the votes of the county Members, though inferior in number. Each party was most anxious to enumerate on its side the greater number of county votes; as a proof of this, if indeed it needed a proof, he should not go back further than the speech of the hon. Member, who, on the meeting of Parliament, proposed the Address to the Throne. He dwelt with peculiar satisfaction on the fact, that all the county Members but two were pledged to support the Bill; this was triumphantly repeated and re-echoed by the Press, and was assumed to be the greatest proof of the popularity of this measure, and of the propriety of enacting it into a law. This was put forward, and justly so, as the very strongest incentive to—as the most powerful argument for—passing this Bill. Any man would have been deemed insane who, in answer to this argument, had proposed to name an equal number of the Representatives of small boroughs opposed to the measure. He need offer no further proof of the additional influence which the Aristocracy derived from the importance attached to the individual vote of every county Member. He had no hesitation in declaring, that it was to the great and wholesome influence that body of Members exercised in that House, that the prosperity of the State was owing; they acted as a barrier against the tide of precipitancy, which never failed to carry on with it the Representative of dense and populous neighbourhoods. No doubt, by the division of counties, the return of Members connected with the great landholders was greatly facilitated; for those divisions of counties in which no great towns were situated, it would be in the power of the two or three great proprietors of a division to name and appoint any individual they approved of to represent that part of the county. In general, the return of those who would represent the landed interest would be insured by the enactment of this clause. Now it was this very facility afforded to any two or three great proprietors to return anybody they pleased—it was this very power granted to them by this clause, of forcing upon the small landholders any individual of their own naming—which he was prepared to prove was the great evil resulting from this clause. They knew, from the other parts of the Bill, that the Representatives of towns had the numerical advantage over those returned by the landed interest; and a little consideration would inform them, that all the additional influence and importance which the latter possessed under the old regime, and which now they ought to possess more than ever, on account of their numerical inferiority, was not only taken away from them by this clause, but was actually transferred from them to the Members on the democratic side. It was the county Members who would now be stigmatized as the Representatives of individuals—it was they who would now be branded with the appellation of nominees. In addition to their incapacity to offer an equal number of votes to counteract any ill-directed measure brought forward by the more numerous body of city or borough Representatives, their little influence would be found diminished by the asseveration, that they, as nominees, were deserving of no consideration. The Press would treat them as it now treated the Members for close boroughs; any opposition they might hereafter offer to any measures, however reprehensible, of the majority, would be unavailing, not only on account of their inferior numbers, but of their inferior importance. They would be nominees, and all the disregard, all the disrespect attached to the opinions of individuals solely under the influence of another individual, would, and must attach to them. This clause, instead of being favourable to the Aristocracy, as intended by the framers of this Bill, aimed the most deadly blow at it. The great object of this measure was, to do away with that which had contributed, more than anything else, to render the people discontented with the actual Constitution—the presence in that House of Members nominated by particular individuals. It was admitted, on all hands, that should the provision in this case take place, it would be in the individual power of a very great many landholders to have other nominees present here; and thus would those Members who ought, for the welfare of the State, and the well balancing of interests, to enjoy the greatest consideration, be placed under the same ban as the members for Gatton or Boroughbridge. He was the more astonished that Ministers persisted in passing this clause, as means were held out to them, by the amendment of a gallant Colonel opposite, the member for Worcester, for avoiding this destructive consequence altogether. If the freeholders resident in towns possessing the right of returning Members, had been compelled to vote for the Members for the town, the object the noble Lord had in giving some compensation to the aristocracy, would have been effected without the division of counties. The freeholders, and—in consequence of the excellent amendment of a noble Marquis opposite, all the farmers of a county—would solely have possessed the right of voting for Members who were to represent their interest; nor could the freeholders in cities have objected to this in any way; they would not have been deprived of the vote they derived from their freehold, their franchise would have survived in all its plenitude. Instead of thousands of freeholders, under 10*l.* yearly value, interfering with the Members for the county, they would have had the right of voting in the election of the Members for the city they inhabited; and it was more to their advantage that it should be so. Certainly their interests were more immediately represented by the Members for the town they dwelt in, than by those who, representing the county at large, had no immediate connexion with, or knowledge of, the interests of the particular boroughs. Both the freeholders of the town, and those engaged in agricultural pursuits, would have been benefitted by the measure proposed by the gallant Colonel; and, what was of more consequence, the aristocracy would have been protected. He would pass over all the objections that might be made to this clause, on the score of the difficulty Barristers were exposed to, in deciding, in respect of the proprietors of particular votes, whether they ought to be for towns or counties. These objections were sufficiently dwelt on in the Committee; they were the pure practical inconveniences. It was to the principle of the clause that he was opposed—it was to the mortal wound it would inflict on the Aristocracy of the country he objected. Independent of this clause he believed the provisions of the Bill to be more favourable to that body than was generally supposed. When he considered the number of boroughs left—of very small boroughs too—he felt convinced, that in the course of time, the landholders in the neighbourhood would, by degrees, acquire the influence they formerly possessed—partly because the small traders, being absolutely dependent on the protection of the surrounding gentry, would actually be under their control. Hon. Members on the other side of the House, in their violent opposition to those clauses of the Bill which conferred additional power and privileges on the democracy, had led their partisans to consider the whole Bill as one framed entirely for the purpose of diminishing the influence of the landed interest. On a close examination, they would find, that it was not so destructive of the power of that body as they had been led to imagine. It was the fashion at the present moment for those who were not connected with that class to rail against, and to vituperate the Aristocracy. This was not the moment to consider which might be the best form of government for a body of men about, for the first time, to settle down together. Without having visionary ideas of the perfectability of mankind, he certainly was of opinion, that a community possessing a wise and well-regulated code of laws, a system of morality founded on philosophic principles, and a large extended knowledge of the principles which actuate men in their undertakings, might enjoy a form of government in which no one class should be endowed with privileges denied to another. But, if ever the authors of this Bill had entertained the project of framing a democratic Constitution for this country—a project which he was convinced was erroneously ascribed to them, it would have been wiser in them to have commenced their dangerous undertaking by modifying the laws of this country, which gave to the notions and habits of its inhabitants an aristocratic tendency. A form of government framed on a very popular basis might suit a nation whose laws had been enacted in a spirit of justice and equality. For a country like this, where private institutions had grown up under the influence and protection of a highly aristocratic government—whose laws had been framed entirely in that sense—whose inhabitants, high and low, of all classes, were imbued with the most aristocratic notions and habits—among whom the love of aristocratic distinction was far greater than in any other civilized country—who supplied the absence of public distinction by the most aristrocratic private ordinances—in a country which differed from all others in this one remarkable fact, that, whereas, in other countries, all who did not belong to the privileged class were enemies of that class, and affected a contempt for it—here, in this free and independent England, it was they who were not privileged who were the great worshippers of those possessed of privileges, and who passed their time in courting and frequenting their society. The laws relating to land and property, which tended to encourage, but not to compel an accumulation of property in the hands of one member of a family, were readily adopted by those who had made fortunes in trade. Thus every individual, every class of people in this country, from the important personages of the Stock Exchange down to the pampered menials of the steward's room, had strong aristocratical inclinations. It appeared to him, that no Representative Legislature could ever be permanent and secure, unless it contained within itself a large portion of those who formed the natural Aristocracy of the country, and who were able, as individuals, to influence the conduct and opinions of the inhabitants. Unless the power, and weight, and authority, of the assembly were made up of the power, weight, and authority of the individuals who composed it, the laws enacted by that body would never be considered with much respect or reverence. It had been industriously held out by some Reformers, that any Member offering any opposition to any clause of the Bill, ought to be considered as an enemy of Reform. To this ungenerous and ungracious sentiment he could not subscribe. It was not to be expected that a measure so extensive in its nature, so important in its operation, could obtain for all and every part of it, the united suffrages of every anxious Reformer; and he perfectly concurred with those who were willing to sacrifice any little opinion of their own, for the sake of securing the enactment of a great measure. The objections he had offered, were not to mere matters of detail, but to a clause of paramount importance. He was fortunate enough to agree entirely with Ministers as to the propriety and the necessity of inserting a clause favourable to the Aristocracy. They declared this one was devised for the purpose of serving the landed interest. He differed from them only as to the effect which was to follow from it, and he had stated the reasons he had for so doing, He had always believed they were desirous of keeping up ancient institutions. He regretted to say, that as far as the operation of this clause went, the means they had devised did not appear to him satisfactory: fortunately, this was not the only legislative body in this country. He took this opportunity of recording his total disapprobation of the course which had been pursued out of doors—he alluded to the endeavours which had been made to deprive one of the estates of this realm of the exercise of its proper jurisdiction. If, on an occasion so important as the present, they could dispense with the interference of another legislative body, why not follow the example of our neighbours, and manfully bring forward the question of the necessity of its existence. As long as measures approved of in that House required the sanction of individuals in another place, in order to become the law of the land, he would not be a party to any proceedings which tended to prevent them from exercising their legitimate authority. It would be as proper and as natural for individuals in another place, intimately connected and concerned with the landed interest, to bestow strict attention on those clauses which affected their interests, as it was for this House, emanating from the people, to immediately express greater anxiety for, to expend greater care upon, those parts of the Bill which conferred additional franchise upon their constituents. It was one of the advantages resulting from our Constitution that interests neglected in one place were sure to find protectors in another. It was in the confidence that the intention expressed by his Majesty's Ministers to afford compensation to the Aristocracy, which would be realized in another place, it was in the hope that the illustrious individuals there assembled would perform their duty in protecting the particular interests intrusted to their care, that he would not withhold his sanction from this measure. He approved, in general, of the great principles of the Bill, but he disapproved of the means which had been resorted to, to ensure the adoption of them.

Mr. *Labouchere* said, that although it was a thing generally to be avoided, to rise after one who spoke from the same benches, yet he felt no difficulty in doing so after the speech which had just been delivered by a Gentleman, who, although he had voted for the Bill, made as stout a speech against the Bill, and every part of the Bill, as its most violent opponents, and who, he would venture to say, had used as unsparing invectives against the language and motives of its supporters as any Gentleman who had spoken in the House. He would not fatigue the House by going at any length into this subject—he had no new argument to offer; but having supported Reform ever since he came into the House, and particularly the present measure, he could not forbear to express his hope that it would soon be the law of the land. A great fallacy had pervaded the speech of his hon. friend, the member for Weymouth, as well as the speeches of other hon. Gentlemen—namely, that the Government had gratuitously, without being pressed forward, rushed on the experiment of this Bill. That was not the case; Reform had been long necessary, and though he was of the school that wished its gradual introduction, the time for that had passed by when the Duke of Wellington's Administration had refused to take up the question, although the organ of that Government in this House had, not long ago, admitted that that Administration had gone out because they could not resist that Reform which they refused to promote. The present Government, then, had only used a right and prudent boldness in bringing forward a measure of a broad and extensive character, which gave a hope of settling the question. Its two grand features were, the abolition of nomination boroughs, which had his cordial assent, and the admission of great masses of citizens into the constitution, which he need not eulogise, for no one, even of the opponents of the measure, attempted to deny its propriety. Another good feature, also, was the opening of the small corporation towns of England, and extending the power of voting to the respectable inhabitants. This was a great boon, for these boroughs had all the evils of nomination about them, although he admitted, in some instances, they had shown redeeming qualities. But on the other hand, look at Bath, which was as close as Gatton or Old Sarum, and the cases of that kind always brought with them local misgovernment; and all who knew what corporate domination was, would be aware of the great good which would be effected by this part of the Bill. Many Gentlemen there were who prophesied nothing but anarchy from this Bill, but he did not agree with them. He was not one who looked to halcyon days from its passing; for the spirit of discontent was abroad, and, perhaps, there would be a battle yet between those who would wish to preserve every right, and those who might wish to level and destroy. But that fight could not be fought on the ground the House now occupied. He wished for a Government of King, Lords, and Commons; and he was as ready as any one to fight in their behalf, wherefore he could not be sufficiently grateful to the Government for placing them in a situation to fight the battle, should it be needful, in which they would be joined by all the virtue and all the worth of the country.

Mr. *Fane* rose to enter his protest against the whole of the measure, as one of the worst that had ever been proposed for the adoption of Parliament. It seemed that the hon. member for Saltash rose for the purpose of verifying the assertion of the hon. member for Weymouth, that when the Gentlemen opposite did give their reasons, they were generally found inconsistent with their votes. The Bill itself either went too far, or not far enough. It went to destroy an ancient system, and to substitute something else which rested on no solid foundation. The working of the English Constitution hitherto had been, to correct its own errors and amend its own defects, and in all the alterations and improvements that had taken place during a lapse of years, the fundamental principles of it had been steadily adhered to. If these principles were now to be advocated in detail, some general principles of Representation should be laid down, and applied universally. This Bill contained no such tangible principle. What claim could a population of 2,000 have to a Representative? If that was followed out, they would have 10,000 Representatives. The object of the Bill was, to do two things—to give and to take away. With regard to what it gave, he was ready to acknowledge that its supporters were disposed to give very liberally of that which did not belong to them; but for that which they took away, he must say that he could not admire either the principles or the honesty upon which they proceeded. A general condemnation had been passed upon the old principles of suffrage; the present electors were to retain their franchise, but their descendants were to be disinherited. He had always understood that the franchise to whom the law intrusted it, was the birth-right of Englishmen, but it seemed now they merely held these rights by sufferance and were tenants at will. The out-voters especially were unjustly dealt with. The voters of Westminster, and other large places, were many and united, and they were feared. The out-voters were also many, but they were disunited, and therefore their rights were trampled on. He had always been taught to look at those corporate rights about to be spoliated and destroyed by the Bill as the great securities of the liberty of the subject. If hon. Gentlemen looked into history, they would see that these corporate bodies, now about to be deprived of the rights which they had so exercised for the salvation of their country, were the very parties who, in defending those rights, expelled the House of Stuart from the throne; that those select bodies maintained and defended their rights until the Revolution was completed, and that by those bodies the House of Hanover was placed upon the throne. He would never give his consent to a measure by which parties who had rendered such services to the country were to be condemned unaccused, unheard, unconvicted.

Colonel *Maberly* said, he begged to refer to some remarks made by the hon. and learned member forCockermouth (Sir James Scarlett), who had objected to the erection of polling-places, as likely to put the Sheriff to great expense and inconvenience. But surely the hon. and learned Gentleman must have forgotten, that it was usual to have the nomination at least several days before an election, which would afford ample time for making the necessary arrangements, and by one clause in this Bill, the candidates were liable to all expenses. He would therefore pass on from the hon. and learned Gentleman, and he was prepared to contend, that the Bill, instead of being democratic and revolutionary, was quite aristocratic in principle, for it was framed with a view rather to property than to numbers. Under the present system of Representation there were but ninety-five county Members, whereas, under the operation of the Reform measure, out of 475 Members, there were to be 157 Representatives for counties, while the boroughs would partake of a more agricultural character than they could be supposed to exhibit as constituted hitherto. For these reasons he thought that the Constitution under this Bill would have by far a much more aristocratic tendency than it had at present. They were told, however, that they must not touch the rights chartered by prescription. But what were prescriptive rights? Those which extended beyond the memory of man. But the whole of the present system of the Constitution was within the memory of man. All it could claim was the sanctity of ancient usage; and he contended, they had as much right to alter ancient usage in regard to electing Members of Parliament, as the hon. and learned member for Stafford had to propose an alteration in the ancient law of dower. Another objection was, that the present plan of Reform would not be permanent. He would observe, in reply, that nothing which the wisdom or cunning of man could devise could be so framed as that it should not be liable to change. The objection, therefore, on this ground might be urged against the wisest or most salutary regulation that human wit had ever devised; but he maintained, that the proposed plan would be permanent and final as long as it adapted itself to the habits, and manners, and feelings of the country, and that was as much as could be predicated of any legislative measure. He was glad to hear the allusion made to America by the hon. member for Thetford (Mr. Baring), for he thought the example of the states of North America furnished a practical answer to the objection, that if any change were made in the Constitution it would lead to as many changes as had distinguished the French Revolution. Now it so happened, that in those States of the North American Union, those which were most democratic, such as the states of Connecticut, and Massachusetts, and Virginia, preserved the same Constitution at the present day that they had at their first establishment; and he saw no reason why the present plan of Reform had not the same chance of being permanent, as long as it entwined itself round the hearts and affections of the people. An hon. Member opposite had objected to the Bill as a hazardous experiment, but would it not be a much more hazardous experiment to refuse to pass the Bill, called for as it was by the unanimous voice of the country? It was said that no reasons were stated by the supporters of the Bill as to its future operation. He thought the reasons for the measure had been stated *usque ad nauseam.* It was grounded on the fact, that the people had not confidence in the House of Commons as it was now constituted. The people asked for a Reform which was practical. They asked that seats in that House should not be sold—that there should be a full, fair, and free Representation of the Commons of England in that House. This was practical, and not violent or visionary Reform, and he hailed it as a measure which would promote the best interests of the country. It would, to use the language of Chatham, be infusing new blood into the Constitution. On these grounds, he thought he gave his support to the best interests of the country when he voted for the passing of this Bill.

Mr. *Trevor* could not suffer the Bill to pass without formally protesting against it, upon the grounds which he had taken other opportunities of explaining to the House. He had in vain called upon the authors and the supporters of the measure to shew the necessity of a change so extensive, and involving the risk of consequences so disastrous as those which he feared would be its result. As he understood it, the professed leading object of the measure was, to admit all classes and interests in the State to a just share in the Representation. He would ask, if that was the case under the Bill as it now stood? After such a profession he would ask, whether any more severe censure upon the Bill could be imagined than the motion of the hon. member for Middlesex, one of its supporters, for granting to the Colonies their just and necessary share in the Representation. He must confess his astonishment at hearing from the other side the names of Mr. Burke and Mr. Canning appealed to in behalf of such a measure. If that illustrious man, who had so often crushed the various monsters of Reform as they had been presented in succession to the consideration of Parliament, could now be amongst them, and see the proposition which had been made by the Government and adopted by the House, he could only imagine him expressing himself simply in these words—

> "Quos deus vult perdere prius dementat."

He could not pass over in silence upon this last great occasion, the means by which this measure had been carried, the most disgraceful of which was the attempt which had been made to intimidate the Legislature by the slanders and the threats of a licentious Press. He had discharged his duty by opposing the measure by every means in his power, not incited by party feeling, but by a stern and honest conviction of the injury it must bring upon the country. He prayed to God that he might be mistaken in his apprehensions, and that it might lead them to those halcyon days to which the people had been taught to look as the certain consequence of the passing of the Bill. But looking at it, as he did, as the forerunner of Revolution, as the dawn of the downfall of all the institutions which had so long been the blessing of the country, whatever might be the fate or the consequences of the Bill, he should always look back with satisfaction to the course he had taken upon it; and if it did pass into a law, he should be the first man to rejoice were he compelled to make the acknowledgment that his fears had been unfounded.

Mr. *W. L. Wellesley* said, in supporting a Bill which had been so much favoured by his constituents, he must beg to express his regret at being opposed in legal and constitutional questions to the hon. and learned Gentleman who had last night opposed the Bill with so much eloquence, and whose opinions he so greatly respected. That hon. and learned Gentleman had opposed the Bill, because he considered that it would destroy the best interests of the Constitution. If he had any notion that it would have that effect, he should be the last man to give it his support, however humble. So far from thinking, however, that it would destroy the Constitution, his firm conviction was, that the great principles of the Bill were perfectly in accordance with the recognized principles of the Constitution in its best and purest times. One fact seemed to be admitted on all hands, that public opinion ought to receive attention and due consideration in that House, and the only question was, how far the opinion of the public was in favour of this Bill. In his view of what had taken place, he thought that that opinion had been most decisively and unequivocally expressed on this subject, and it was that wholesome expression of the general opinion of the country which the House ought to follow. After what he had heard from hon. Members opposite on the subject of pledges, he felt it necessary to say, that though he did not approve of the principle that a Member should ask the commands of his constituents as to his conduct in Parliament, for that would do away with that independence of Members in that House in which the public had its best security, yet he must add, that those were greatly mistaken who imagined that any candidate addressing his constituents could lead them against reason and justice. That a strong opinion existed amongst the people on the subject of Reform, could not be denied; and he would appeal to the right hon. member for Harwich, who was well acquainted with the county (Essex), with which he (Mr. Long Wellesley) was connected, whether the strongest feeling did not prevail there in favour of this Bill? The greatest irritation existed amongst the people at the procrastination of the measure in its progress through the House. He did not blame those who caused that delay, as he was willing to believe that their opposition was most conscientious. That a different feeling prevailed to a certain extent now from what there was at first in the country as to the Bill, he admitted, but it was attributable to natural causes. It was impossible for men to hear, day after day, the attacks that had been made on it, the imputations made against those who supported the measure, the allegations that it would tend to derange property—that it would cause a repeal of the Corn-laws; it was impossible that such allegations should have been made in that House, and echoed through the country so frequently, without producing effects injurious to the measure in public opinion; and, so far from being surprised at any change having been wrought in the public mind, his surprise was, considering all that had been done to oppose the Bill, that change should be so slight as he really believed it to be. That the Bill would be productive of results most beneficial to the country, he had no doubt, but at the same time there were parts of it to which he had strong objections. He particularly alluded to the division of counties, which he thought tended to give an unnecessary increase to aristocratic power. In some counties the divisions would be impracticable. In Essex, he would admit, and in counties where there was but one general interest, the division might not be so much a matter of importance, but in Wiltshire the case would be different. If the division had been made eighteen years ago, what would now be the result? In a short time after, there would have been one Member representing the agricultural, and three others representing no interest at all, for the manufacturing interest had been in a great degree removed from the county. He did not urge this as an objection to the passing of the Bill; for even with this defect, the Bill would be a most important boon to the country; but as he felt the objection, he thought it his duty fairly to state it. There was another part of the machinery of the Bill which he thought objectionable—he meant the power which it gave to Overseers. He owned that he looked with jealousy to the granting of any powers under this Bill to that class of men. He must express the regret which he felt at the attempts which were made to depreciate the efforts and labours of public men, by hon. Members on the other side of the House. For himself, having lived long in the society of public men, he was convinced, that whether those public men were Whigs, or whether they were Tories, it was a base delusion to assert, that the public men of any other country discharged their duties at so great a sacrifice of private convenience, health, time, or personal interest, as was incurred by the public men of this country; and, be his opinions what they might, he would never lend himself to such an argument *ad captandum*. When he had made up his mind to give his support to the Reform Bill, he had taken great pains to satisfy himself that the principles upon which it was framed were in strict conformity to those of the Constitution, and having satisfied himself in that important particular, he should not swerve from giving that steady support to the Bill which, in his conscientious belief, it deserved.

Mr. *Courtenay* said, the Opposition had been taunted the other night with the alleged non-conformity of the arguments by which their views were supported. After what had now passed—after the five speeches the House had heard—the charge of inconsistency could not be made exclusively against that side of the House. Hitherto, not one of his Majesty's Ministers had defined the principle of the Bill, or described its practical operation, or explained how the government of the country was in future to be conducted. The hon. member for Essex might have explained the principle of the Bill, for he did not hear the whole of his speech, but the part which he did hear, consisted chiefly of objections to the details. The hon. member for Saltash, though a Reformer, had objected to every part of the Bill. Three of the hon. Members who addressed the House this evening in support of the Bill, had each taken a different view of the principles on which it was founded. The member for Derby took it up on the high ground of a theoretical principle of Representation, and of its admitting the intelligent classes to a share of legislation; the member for Taunton considered it as only removing some abuses from our present Representation; and from the member for Northampton, the House heard, that the system under this Bill would be infinitely more aristocratical than that which already existed. From his Majesty's Ministers, however, the House had heard nothing as to the future operation of the measure; but from something which fell from the noble Lord (Lord John Russell), he appeared to regard the principle of the Bill as founded upon that of general Representation, which was the principle of the British Constitution. It was, however, unnecessary for him to go into that subject, the noble Lord's view having been already answered by the speech of the hon. member for Rye; he might, however, observe, that the principle of numerical Representation was not, at any period of our history, adopted in the construction of that House. At the period of the Revolution, it was declared, that the House of Commons, constituted as it then was, did lawfully, fully and freely represent the people of England. In that House the same interests prevailed as now—there were Howards, and Stanleys, and Cavendishes representing the same close boroughs; but he would not enter into any antiquarian view of the subject, he would rather take it on practical grounds, and deny, that the Bill carried into effect the principle of general Representation, and he would assert, if it did, that it would be most injurious in its operation. It admitted the principle to a sufficient extent to be mischievous, but not to attach the people. It was said that, by the admission of the 10*l*. householders, they would include in the Representation all the intelligence of the country. But admitting, for the sake of argument, that they constituted the intelligent class, the Bill did not include more than one-half of them; and notwithstanding the Attorney General's assertion, that the franchise would no longer be left to accident, a large portion of the 10*l*. householders of England and Wales—of that very class whom it was said, it would be tyranny to exclude from the franchise—would be capriciously excluded under this Bill. In fact, many large districts in different parts of the country would derive no advantage whatever from the Bill. In the county of Devon, out of thirty-three Hundreds, only six Hundred would obtain any advantage. He He was ready to admit that, by the division of counties, landed property would still possess a considerable influence, and that was the only redeeming part of the measure; but the influence thus derived would not be sufficient to carry on the Government, which was often much embarrassed in its measures by the influence of the county Representation. He objected to the operation of the Bill, not that it would altogether exclude men of property—for he admitted, that from many of the counties men of landed property would be returned, but, that the elections would be influenced by overwhelming property on the one hand, or, on the other by the lowest of the people, from the facility which the Bill would give to flattery and delusion. That bribery would be practised in some of the small boroughs, he had no doubt; but that the effect of the whole system under the Bill would be to exclude a useful and practical body of men from the House, could not be denied. Men who will flatter and delude —who will excite the people by violent addresses and declamations — who will promise what they know they cannot perform, would take the place of sober, intelligent, and practical men, who, however useful they might make themselves to the public if returned, would never condescend to obtain a seat by those arts. If it were true that the people were always ultimately right, no man could say, that they were often right in their first impressions. But looking to measures and not to forms, he begged to ask his Majesty's Ministers, what was the practical operation they expected from this Bill? Were the measures hereafter to be adopted to be wiser or more honest than those of former times? would the new constituency enable the House satisfactorily to settle the question of the Currency—which required great knowledge, great temper, freedom from passion, and the power of resisting ordinary and familiar fallacies? Would it enable Parliament satisfactorily to dispose of the East-India question — or the West-India question — one of the most important, and requiring great knowledge, one in which, as Mr. Canning said, caution must temper zeal—one in which calmness was as much required as great knowledge — would the new constituency enable Parliament to settle this important question? If they could not expect more wisdom than heretofore, what reason was there to expect more honesty, fewer wars, and a diminished expenditure? Ministers had been nearly a year in office, but had not brought forward any strikingly useful measures? They had made no great change in the existing system; but, like former Ministers, had made small reductions, without altering in any material manner the finances of the country. There was a delusion abroad most criminal to countenance; the people expected by means of that Bill a reduction of taxation. If the Ministers had no plan for reducing taxes, the people were deluded; if they had such a plan, they ought, during the ten months they had been in office, to have brought it forward. Would Ministers relieve the country from any part of the National Debt? He was never more ashamed in his life than when he heard Ministers cheer a speaker who stated that the best effect of the Bill would be to bring the whole force of the people of England to bear upon the National Debt. It was the duty of the Ministers then to have got up, one after another, and have disclaimed that infamous suggestion. Yet were they willing to accept support in conjunction with such principles of dishonesty? He was afraid, that after passing that Bill, the House would be called upon to pass others approximating to the principles of those who made the suggestion. The hon. member for Derby, in enumerating the measures which would long since have been adopted if Parliament had been reformed, spoke of measures for promoting education. But what measures of education had been rejected by the House? He remembered perfectly well, that when the Lord Chancellor—who, by-the-by, might have introduced his measure into the House of Lords long before now—brought forward a measure with respect to education, he stated, that he received the greatest support from the body of the established clergy of England and Wales, but he was opposed by the Dissenters, and it was their opposition that induced him to withdraw the bill; and the Dissenters (which was to him an objection to the Bill) would derive from it very great power. With respect to the effect of a new Parliament in keeping down expenditure, it had been truly said, that most wars were popular, at least at their outset. After this Bill was passed, they would continue to be so; but what else would happen? The people would be in a hurry to get into a war, but when pinched by taxation, would be in a still greater hurry to get out of it; and as they had entered it precipitately, so would they conclude it dishonourably. With respect to the management of foreign affairs, his noble friend opposite could hardly suppose, that the delegates of the 10*l.* householders would assist him in the arrangement of his protocols. Perhaps, however, their presence might have some redeeming virtue in this respect; for charged, as the noble Lord now was, with having broken public faith, as these persons would have some sort of honesty, he hoped they would be able to check any future attempts at violating treaties. The only evil of the present system, if it be an evil, which the Bill would remove, was that of direct nomination, for there was not the slightest reason to suppose that bribery would be diminished. On the contrary, the constituency proposed to be created would consist precisely of that class of persons amongst whom bribery had at all times prevailed. He did not deny, that talents would find their way into the House; but the complaint he made was, that Members must then have talents of a particular description, and they must be applied in a particular direction. A sober-minded man, however patriotic, however sincerely devoting his mind and time to the public service, could not find his way into the House, unless he had some hereditary connexion with a county, or was willing, on the hustings, to say things which, in the bottom of his heart, he knew to be false. If a man happened to think differently from the public upon any particular topic that may happen to be agitated at the time of election, he could not come into the House without bribery, or falsifying his own opinion. It had been said very generally by Gentlemen on the other side of the House, that all who opposed the Bill stated themselves to be moderate Reformers, and admitted the necessity of some Reform. The fallacy of that consisted in the use of the word necessity. He, for one—and he knew there were many others—had never admitted the *per se* necessity of any Reform whatever. He admitted that there was a great excitement in the public mind, and that some Reform must be conceded, and if some moderate Reform were proposed, he should, though reluctantly, assent to it. He did not deny that there was some danger in resisting the Bill altogether, but the danger of passing it was infinitely greater. How far the public sentiments might have undergone a change, he would not say; but he was sure that the extent of the desire for Reform had been greatly exaggerated. He did not believe, that the majority of the gentry, and persons of small property, was in favour of the Bill. They were, in many parts of the country, criminally quiescent, and had given way to the more numerous and more noisy body immediately under them, but they were not, and never had been, urgent for the Bill. He put it to the candour of the noble Lord, the member for Devonshire, to say whether, if he had had to be returned by persons of a much higher qualification than those that sent him here, he would have been Member for that county? It was said, that the House ought not to object to change, because it was the essence of the Constitution to adapt itself to the varying circumstances of the country. If that were true, if the Constitution adapts itself, there was no necessity for violent changes. The Constitution was practically different now from what it was 200 years ago, yet no great change had taken place; for at the Revolution of 1688, excepting the law by which it was provided that neither a Catholic, nor the husband of a Catholic, should be King, no new laws were made—all that was done consisted in asserting the laws and liberty of the country. The great practical changes continually taking place in the workings of the Constitution, many of which had occurred within the memory of the present generation, without any alterations in its forms, were sufficient proofs that there was no necessity to incur the risk of such an extensive alteration as was proposed by that Bill. It was supposed that it was to libel the people of England, to impute to them a desire to destroy the House of Lords and the King. In his view of the subject, it appeared that the moment Representation became the exclusive basis of the House of Commons—and such, to a certain degree, was the principle of this Bill, though by no means its practice—from that moment it was acknowledged, that the power of the House of Lords and of the King ought not to exist. In fact, the continuance of those branches of the Constitution would become, to adopt the sentiment of Mr. Fox, as great absurdities as Gatton and Old Sarum. No argument, no theoretical principle for the people returning all the Members of this House could be urged, which did not reduce to an absurdity the practice of 300 men, not elected by the people, and still less one man, having equal power in the Legislature with the body wholly elected by the people. He wished he might not be forced to see the silent operation of that theory. What was passing under their eyes gave some reason to believe, that the supporters of this Bill, those who were to benefit by its enactments, were already beginning to show impatience of one of the other branches of the Legislature—an impatience fostered by Ministers in a way he was almost afraid to characterize. He did not mean to say, that the Bill, at an early period, must produce anarchy, or that anarchy must necessarily flow from republican principles: but he for one would not lend his aid to forward a measure which would end, he believed, in a republic. We had lived hitherto under a monarchy, and he wanted to continue living under one. A Republic was not the Constitution of this country, and he wanted to retain the Constitution. He objected to the Bill, because it would not improve the Constitution; but would put principles into operation and bring dangers upon the country, greater than those which could result from the rejection of the measure. If the rejection of the Bill should be followed by a rev lutionary movement, he would rather see that movement than be accessory to postponing it by a measure which he believed would hereafter increase the danger tenfold. It would always be his consolation to have opposed this Bill.

Mr. *Macaulay:* it is not without great diffidence, Sir, that I rise to address you on a subject which has been nearly exhausted. Indeed, I should not have risen had I not thought that though the arguments on this question are for the most part old, our situation at present is in a great measure new. At length the Reform Bill, having passed without vital injury through all the dangers which threatened it, during a long and minute discussion, from the attacks of its enemies and from the dissensions of its friends, comes before us for our final ratification, altered, indeed, in some of its details for the better, and in some for the worse, but in its great principles still the same Bill which, on the 1st of March, was proposed to the late Parliament—the same Bill which was received with joy and gratitude by the whole nation—the same Bill which, in an instant, took away the power of interested agitators, and united in one firm body sects of sincere Reformers—the same Bill which, at the late election, received the approbation of almost every great constituent body in the empire. With a confidence which discussion has only strengthened—with an assured hope of great public blessings if the wish of the nation shall be gratified—with a deep and solemn apprehension of great public calamities if that wish shall be disappointed—I for the last time give my most hearty assent to this noble law, destined, I trust, to be the parent of many good laws, and, through a long series of years, to secure the repose and promote the prosperity of my country. When I say that I expect this Bill to promote the prosperity of the country, I by no means intend to encourage those chimerical hopes which the hon. and learned member for Rye, who has so much distinguished himself in this debate, has imputed to the Reformers. The people, he says, are for the Bill, because they expect that it will immediately relieve all their distresses. Sir, I believe that very few of that large and respectable class which we are now about to admit to a share of political power, entertain any such absurd expectation. They expect relief, I doubt not, and I doubt not also that they will find it. But sudden relief they are far too wise to expect. The Bill, says the hon. and learned Gentleman, is good for nothing—it is merely theoretical — it removes no real and sensible evil — it will not give the people more work, or higher wages, or cheaper bread. Undoubtedly, Sir, the Bill will not immediately give all those things to the people. But will any institutions give them all those things? Do the present institutions of the country secure to them these advantages? If we are to pronounce the Reform Bill good for nothing, because it will not at once raise the nation from distress to prosperity, what are we to say of that system under which the nation has been of late sinking from prosperity into distress? The defect is not in the Reform Bill, but in the very nature of government. On the physical condition of the great body of the people, government acts not as a specific, but as an alterative. Its operation is powerful, indeed, and certain, but gradual and indirect. The end of government is not directly to make the people rich, but to protect them in making themselves rich—and a Government which attempts more than this is precisely the Government which is likely to perform less. Governments do not and cannot support the people. We have no miraculous powers — we have not the rod of the Hebrew lawgiver — we cannot rain down bread on the multitude from Heaven—we cannot smite the rock and give them to drink. We can give them only freedom to employ their industry to the best advantage, and security in the enjoyment of what their industry has acquired. These advantages it is our duty to give at the smallest possible cost. The diligence and forethought of individuals will thus have fair play; and it is only by the diligence and forethought of individuals that the community can become prosperous. I am not aware that his Majesty's Ministers, or any of the supporters of the Bill, have encouraged the people to hope, that Reform will remove their distresses, in any other way than by this indirect process. By this indirect process the Bill will, I feel assured, conduce to the national prosperity. If it had been passed fifteen years ago, it would have saved us from our present embarrassments. If we pass it now, it will gradually extricate us from them. It will secure to us a House of Commons, which, by preserving peace, by destroying monopolies, by taking away unnecessary public burthens, by judiciously distributing necessary public burthens, will, in the progress of time, greatly improve our condition. This it will do; and those who blame it for not doing more, blame it for not doing what no Constitution, no code of laws, ever did or ever will do; what no legislator, who was not an ignorant and unprincipled quack, ever ventured to promise. But chimerical as are the hopes which the hon. and learned member for Rye imputes to the people, they are not, I think, more chimerical than the fears which he has himself avowed. Indeed, those very Gentlemen who are constantly telling us that we are taking a leap in the dark—that we pay no attention to the lessons of experience—that we are mere theorists—are themselves the despisers of experience—are themselves the mere theorists. They are terrified at the thought of admitting into Parliament Members elected by 10*l*. householders. They have formed in their own imaginations a most frightful idea of these Members. My hon. and learned friend, the member for Cockermouth, is certain that these Members will take every opportunity of promoting the interests of the journeyman in opposition to those of the capitalist. The hon. and learned member for Rye is convinced that none but persons who have strong local connexions, will ever be returned for such constituent bodies. My hon. friend, the member for Thetford, tells us, that none but mob-orators, men who are willing to pay the basest court to the multitude, will have any chance. Other speakers have gone still further, and have described to us the future borough Members as so many Marats and Santerres—low, fierce desperate men—who will turn the House into a bear-garden, and who will try to turn the monarchy into a republic—mere agitators, without honour without sense, without education, without the feelings or the manners of gentlemen. Whenever, during the course of the fatiguing discussions by which we have been so long occupied, there has been a cry of "question," or a noise at the bar, the orator who has been interrupted has remarked, that such proceedings will be quite in place in the Reformed Parliament, but that we ought to remember that the House of Commons is still an assembly of Gentlemen. This, I say, is to set up mere theory, or rather mere prejudice, in opposition to long and ample experience. Are the Gentlemen who talk thus, ignorant that we have already the means of judging what kind of men the 10*l*. householders will send up to Parliament? Are they ignorant that there are even now large towns with very popular rights of election—with rights of election even more democratic than those which will be bestowed by the present Bill? Ought they not, on their own principles, to look at the results of the experiments which have already been made, instead of predicting frightful calamities at random? How do the facts which are before us agree with their theories? Nottingham is a city with a franchise even more democratic than that which this Bill establishes. Does Nottingham send hither men of local connexions? It returns two distinguished men—the one an advocate, the other a soldier—both unconnected with the town. Every man paying scot-and-lot has a vote at Leicester. This is a lower franchise than the 10*l*. franchise. Do we find that the members for Leicester are the mere tools of the journeymen. I was at Leicester during the contest in 1826, and I recollect that the suffrages of the scot-and-lot voters were pretty equally divided between two candidates—neither of them connected with the place—neither of them a slave of the mob—the one a Tory Baronet from Derbyshire—the other a most respectable and excellent friend of mine, connected with the manufacturing interest, and also an inhabitant of Derbyshire. Look at Norwich—Look at Northampton, with a franchise more democratic than even the scot and lot franchise. Northampton formerly returned Mr. Perceval, and now returns Gentlemen of high respectability—Gentlemen who have a great stake in the prosperity and tranquillity of the country. Look at the metropolitan districts. This is an *à fortiori* case. Nay it is—the expression, I fear is awkward—an *à fortiori* case at two removes. The 10*l.* householders of the metropolis are persons in a lower station of life than the 10*l.* householders of other towns. The scot and lot franchise in the metropolis is again lower than the 10*l.* franchise—yet have Westminster and Southwark been in the habit of sending us Members of whom we have had reason to be ashamed—of whom we have not had reason to be proud? I do not say that the inhabitants of Westminster and Southwark have always expressed their political sentiments with proper moderation. That is not the question—the question is this—what kind of men have they elected? The very principle of all Representative government is, that men who do not judge rightly of public affairs may be quite competent to choose others who will judge better. Whom, then, have Westminster and Southwark sent us during the last fifty years—years full of great events—years of intense popular excitement? Take any one of those nomination-boroughs, the patrons of which have conscientiously endeavoured to send fit men into this House. Compare the Members for that borough with the members for Westminster and Southwark, and you will have no doubt to which the preference is due. It is needless to mention Mr. Fox, Mr. Sheridan, Mr. Tierney, Sir Samuel Romilly. Yet I must pause at the name of Sir Samuel Romilly. Was he a mob-orator? Was he a servile flatterer of the multitude? Sir, if he had any fault—if there was any blemish on that most serene and spotless character—that character which every public man, and especially every professional man engaged in politics, ought to propose to himself as a model—it was this, that he despised popularity too much and too visibly. The hon. Member for Thetford told us that the hon. and learned member for Rye, with all his talents, would have no chance of a seat in the Reformed Parliament, for want of the qualifications which succeed on the hustings. Did Sir Samuel Romilly ever appear on the hustings? He never solicited one vote—he never shewed himself to the electors till he had been returned at the head of the poll. Even then—as I have heard from one of his nearest relatives—it was with reluctance that he submitted to be chaired. He shrank from being made a shew. He loved the people. and he served them; but Coriolanus himself was not less fit to canvass them. I will mention one other name—that of a man of whom I have only a childish recollection, but who must have been intimately known to many of those who hear me—Mr. Henry Thornton. He was a man eminently upright, honourable, and religious—a man of strong understanding—a man of great political science—but, in all respects, the very reverse of a mob-orator. He was a man who would not have yielded to what he considered as unreasonable clamour—I will not say to save his seat—but to save his life. Yet he continued to represent Southwark, Parliament after Parliament, for many years. Such has been the conduct of the scot-and-lot voters of the metropolis, and there is clearly less reason to expect democratic violence from 10*l.* householders than from scot-and-lot householders; and from 10*l.* householders in the country-towns than from 10*l.* householders in London. The experience, I say, therefore, is on our side; and on the side of our opponents nothing but mere conjecture, and mere assertion. Sir, when this Bill was first brought forward, I supported it not only on the ground of its intrinsic merits but, also, because I was convinced that to reject it would be a course full of danger. I believe that the danger of that course is in no respect diminished. I believe, on the contrary, that it is increased. We are told that there is a reaction. The warmth of the public feeling, it seems, has abated. In this story both the sections of the party opposed to Reform are agreed—those who hate Reform, because it will remove abuses, and those who hate it, because it will avert anarchy—those who wish to see the electing body controlled by ejectments, and those who wish to see it controlled by constitutional squeezes. They must now, I think, be undeceived. They must have already discovered that the surest way to prevent a reaction is, to talk about it, and that the enthusiasm of the people is at once rekindled by any indiscreet mention of their seeming coolness. This, Sir, is not the first reaction which the sagacity of the Opposition has discoverd since the Reform Bill was brought in. Every Gentleman who sat in the late Parliament—every Gentleman who, during the sitting of the late Parliament, paid attention to political speeches and publications, must remember how, for some time before the debate on General Gascoyne's motion, and during the debate on that motion, and down to the very day of the dissolution, we were told that public feeling had cooled. The right hon. Baronet, the member for Tamworth, told us so. All the literary organs of the Opposition, from the *Quarterly Review* down to the *Morning Post*, told us so. All the members of the Opposition with whom we conversed in private told us so. I have in my eye a noble friend of mine, who assured me, on the very night which preceded the dissolution, that the people had ceased to be zealous for the Ministerial plan, and that we were more likely to lose than to gain by the elections. The appeal was made to the people; and what was the result? What sign of a reaction appeared among the Livery of London? What sign of a reaction did the hon. Baronet who now represents Okehampton find among the freeholders of Cornwall? How was it with the large represented towns? Had Liverpool cooled?—or Bristol? or Leicester? or Coventry? or Nottingham? or Norwich? How was it with the great seats of manufacturing industry—Yorkshire, and Lancashire, and Staffordshire, and Warwickshire, and Cheshire? How was it with the agricultural districts—Northumberland and Cumberland, Leicestershire and Lincolnshire, Kent and Essex, Oxfordshire, Hampshire, Somersetshire Dorsetshire, Devonshire? How was it with the strong-holds of aristocratical influence, Newark, and Stamford, and Hertford, and St. Alban's? Never did any people display, within the limits prescribed by law, so generous a fervour, or so stedfast a determination, as that very people whose apparent languor had just before inspired the enemies of Reform with a delusive hope. Such was the end of the reaction of April; and, if that lesson shall not profit those to whom it was given, such and yet more signal will be the end of the reaction of September. The two cases are strictly analogous. In both cases the people were eager when they believed the Bill to be in danger, and quiet when they believed it to be in security. During the three or four weeks which followed the promulgation of the Ministerial plan, all was joy, and gratitude, and vigorous exertion. Everywhere meetings were held—everywhere resolutions were passed—from every quarter were sent up petitions to this House, and addresses to the Throne—and then the nation, having given vent to its first feelings of delight—having clearly and strongly expressed its opinions—having seen the principle of the Bill adopted by the House of Commons on the second reading—became composed, and awaited the result with a tranquillity which the Opposition mistook for indifference. All at once the aspect of affairs changed. General Gascoyne's amendment was carried—the Bill was again in danger—exertions were again necessary. Then was it well seen whether the calmness of the public mind was any indication of slackness! The depth and sincerity of the prevailing sentiments were proved, not by mere talking, but by actions, by votes, by sacrifices. Intimidation was defied—expenses were rejected—old ties were broken—the people struggled manfully—they triumphed gloriously—they placed the Bill in perfect security, as far as this House was concerned, and they returned to their repose. They are now, as they were on the eve of General Gascoyne's motion, awaiting the issue of the deliberations of Parliament, without any indecent shew of violence, but with anxious interest and immovable resolution. And because they are not exhibiting that noisy and rapturous enthusiasm, which is in its own nature transient—because they are not as much excited as on the day when the plan of the Government was first made known to them, or on the day when the late Parliament was dissolved—because they do not go on week after week, hallooing, and holding meetings, and marching about with flags, and making bonfires, and illuminating their houses—we are again told that there is a reaction. To such a degree can men be deceived by their wishes, in spite of their own recent experience! Sir, there is no reaction; and there will be no reaction. All that has been said on this subject convinces me only that those who are now, for the second time, raising this cry, know nothing of the crisis in which they are called on to act, or of the nation which they aspire to govern—all their opinions respecting this Bill are founded on one great error. They imagine that the public feeling concerning Reform is a mere whim which sprang up suddenly out of nothing, and which will as suddenly vanish into nothing. They, therefore, confidently expect a reaction. They are always looking out for a reaction. Everything that they see, or that they hear, they construe into a sign of the approach of this reaction. They resemble the man in Horace, who lies on the bank of the river, expecting that it will every moment pass by and leave him a clear passage—not knowing the depth and abundance of the fountain which feeds it—not knowing that it flows, and will flow on for ever. They have found out a hundred ingenious devices by which they deceive themselves. Sometimes they tell us that the public feeling about Reform was caused by the events which took place at Paris about fourteen months ago; though every observant and impartial man knows, that the excitement which the late French revolution produced in England, was not the cause but the effect of that progress which liberal opinions had made amongst us. Sometimes they tell us, that we should not have been troubled with any complaints on the subject of the Representation, if the House of Commons had agreed to a certain motion, made in the Session of 1830, for inquiry into the causes of the public distress. I remember nothing about that motion, except that it gave rise to the dullest debate ever known; and the country, I am firmly convinced, cared not one straw about it. But is it not strange that men of real talents can deceive themselves so grossly, as to think that any change in the Government of a foreign nation, or the rejection of any single motion, however popular, could all at once raise up a great, rich, enlightened nation, against its representative institutions? Could such small drops have produced an overflowing, if the vessel had not already been filled to the very brim? These explanations are incredible, and if they were credible, would be anything but consolatory. If it were really true that the English people had taken a sudden aversion to a representative system which they had always loved and admired, because a single division in Parliament had gone against their wishes, or because, in a foreign country, under circumstances bearing not the faintest analogy to those in which we are placed, a change of dynasty had happened, what hope could we have for such a nation of madmen? How could we expect that the present form of government, or any form of government, would be durable amongst them?—Sir, the public feeling concerning Reform is of no such recent origin, and springs from no such frivolous causes. Its first faint commencement may be traced far—very far—back in our history. During seventy years it has had a great influence on the public mind. Through the first thirty years of the reign of George 3rd, it was gradually increasing. The great leaders of the two parties in the State were favourable to Reform. It was supported by large and most respectable minorities in the House of Commons. The French Revolution, filling the higher and middle classes with an extreme dread of change, and the war calling away the public attention from internal to external politics, threw the question back; but the people never lost sight of it. Peace came, and they were at leisure to think of domestic improvements. Distress came, and they suspected, as was natural, that their distress was the effect of unfaithful stewardship and unskilful legislation. An opinion favourable to Parliamentary Reform grew up rapidly, and became strong among the middle classes. But one tie—one strong tie—still bound those classes to the Tory party, I mean the Catholic Question. It is impossible to deny, that on that subject a large proportion—a majority, I fear—of the middle class of Englishmen, conscientiously held opinions opposed to those which I have always entertained, and were disposed to sacrifice every other consideration to what they considered as a religious duty. Thus the Catholic Question hid, so to speak, the question of Parliamentary Reform: the feeling in favour of Parliamentary Reform grew, but it grew in the shade. Every man, I think, must have observed the progress of that feeling in his own social circle. But few Reform meetings were held, and few petitions in favour of Reform presented. At length the Catholics were emancipated; the solitary link of sympathy which attached the people to the Tories was broken; the cry of "No Popery" could no longer be opposed to the cry of "Reform." That which, in the opinion of the two great parties in Parliament, and of a vast portion of the community, had been the first question, suddenly disappeared; and the question of Parliamentary Reform took the first place; then was put forth all the strength which that question had gathered in secret; then it appeared that Reform had on its side a coalition of interests and opinions unprecedented in our history—all the liberality and intelligence which had supported the Catholic claims, and all the clamour which had opposed them. This, I believe, is the true history of that public feeling on the subject of Reform, which has been ascribed to causes quite inadequate to the production of such an effect. If ever there was in the history of mankind a national sentiment which was the very opposite of a caprice—with which accident had nothing to do—which was produced by the slow, steady, certain, progress of the human mind, it is the feeling of the English people on the subject of Reform. Accidental circumstances may have brought that feeling to maturity in a particular year, or a particular month. That point I will not dispute, for it is not worth disputing; but those accidental circumstances have brought on Reform, only as the circumstance that, at a particular time, indulgences were offered to sale in a particular town in Saxony, brought on the great separation from the Church of Rome. In both cases the public mind was prepared to move on the slightest impulse. Thinking thus of the public opinion concerning Reform—being convinced that this opinion is the mature product of time and of discussion—I expect no reaction. I no more expect to see my countrymen again content with the mere semblance of a Representation, than to see them again drowning witches or burning heretics—trying causes by red-hot ploughshares, or offering up human sacrifices to wicker idols. I no more expect a reaction in favour of Gatton and Old Sarum, than a reaction in favour of Thor and Odin. I should think such a reaction almost as much a miracle, as that the shadow should go back upon the dial. Revolutions produced by violence are often followed by reactions; the victories of reason once gained, are gained for eternity. In fact, if there be in the present aspect of public affairs, any sign peculiarly full of evil omen to the opponents of Reform, it is that very calmness of the public mind on which they found their expectations of success. They think that it is the calmness of indifference. It is the calmness of confident hope; and in proportion to the confidence of hope will be the bitterness of disappointment. Disappointment, indeed, I do not anticipate. That we are certain of success in this House is now acknowledged; and our opponents have, in consequence, during the whole of our Session, and particularly during the present debate, addressed their arguments and exhortations rather to the Lords than to the assembly of which they are themselves Members. Their principal argument has always been, that the Bill will destroy the peerage. The hon. and learned member for Rye has, in plain terms, called on the Barons of England to save their order from democratic encroachments, by rejecting this measure. All these arguments—all these appeals being interpreted, mean this: "Proclaim to your countrymen that you have no common interests with them, no common sympathies with them; that you can be powerful only by their weakness, and exalted only by their degradation; that the corruptions which disgust them, and the oppression against which their spirit rises up, are indispensable to your authority; that the freedom and purity of election are incompatible with the very existence of your House. Give them clearly to understand that your power rests, not as they have hitherto imagined, on their rational conviction, or their habitual veneration, or your own great property, but on a system fertile of political evils, fertile also of low iniquities of which ordinary justice takes cognizance. Bind up, in inseparable union, the privileges of your estate with the grievances of ours; resolve to stand or fall with abuses visibly marked out for destruction; tell the people that they are attacking you in attacking the three holes in the wall, and that they shall never get rid of the three holes in the wall till they have got rid of you—that a hereditary peerage, and a representative assembly, can coexist only in name—that, if they will have a House of Peers, they must be content with a mock House of Commons." This, I say, is the advice bestowed on the Lords, by those who call themselves the friends of aristocracy. That advice so pernicious will not be followed, I am well assured; yet I cannot but listen to it with uneasiness. I cannot but wonder that it should proceed from the lips of men who are constantly lecturing us on the duty of consulting history and experience. Have they ever heard what effects counsels like their own, when too faithfully followed, have produced? Have they ever visited that neighbouring country, which still presents to the eye, even of a passing stranger, the signs of a great dissolution and renovation of society? Have they ever walked by those stately mansions, now sinking into decay, and portioned out into lodging-rooms, which line the silent streets of the Fauxbourg St. Germain? Have they ever seen the ruins of those castles whose terraces and gardens overhang the Loire? Have they ever heard that from those magnificent hotels, from those ancient castles, an aristocracy as splendid, as brave, as proud, as accomplished as ever Europe saw, was driven forth to exile and beggary—to implore the charity of hostile Governments and hostile creeds—to cut wood in the back settlements of America—or to teach French in the school-rooms of London? And why were those haughty nobles destroyed with that utter destruction? Why were they scattered over the face of the earth, their titles abolished, their escutcheons defaced, their parks wasted, their palaces dismantled, their heritage given to strangers? Because they had no sympathy with the people—no discernment of the signs of their time—because, in the pride and narrowness of their hearts, they called those whose warnings might have saved them, theorists and speculators, because they refused all concession till the time had arrived when no concession would avail. I have no apprehension that such a fate awaits the nobles of England. I draw no parallel between our aristocracy and that of France. Those who represent the Lords as a class whose power is incompatible with the just influence of the middle orders in the State, draw the parallel, and not I. They do all in their power to place the Lords and Commons of England in that position with respect to each other in which the French gentry stood with respect to the Tiers Etat. But I am convinced that these advisers will not succeed. We see, with pride and delight, among the friends of the people, the Talbots, the Cavendishes, the princely house of Howard. Foremost among those who have entitled themselves, by their exertions in this House, to the lasting gratitude of their countrymen, we see the descendants of Marlborough, of Russell, and of Derby. I hope, and firmly believe, that the Lords will see what their interest and their honour require. I hope, and firmly believe, that they will act in such a manner as to entitle themselves to the esteem and affection of the people. But if not, let not the enemies of Reform imagine that their reign is straightway to recommence, or that they have obtained anything more than a short and weary respite. We are bound to respect the constitutional rights of the Peers; but we are bound also not to forget our own. We, too, have our privileges—we, too, are an estate of the realm. A House of Commons, strong in the love and confidence of the people—a House of Commons which has nothing to fear from a dissolution, is something in the Government. Some persons, I well know, indulge a hope that the rejection of the Bill will at once restore the domination of that party which fled from power last November, leaving everything abroad and everything at home in confusion—leaving the European system, which it had built up at a vast cost of blood and treasure, falling to pieces in every direction—leaving the dynasties which it had restored, hastening into exile—leaving the nations which it had joined together, breaking away from each other—leaving the fundholders in dismay—leaving the peasantry in insurrection—leaving the most fertile counties lighted up with the fires of incendiaries—leaving the capital in such a state, that a royal procession could not safely pass through it. Dark and terrible, beyond any season within my remembrance of political affairs, was the day of their flight. Far darker and far more terrible will be the day of their return; they will return in opposition to the whole British nation, united as it was never before united on any internal question—united as firmly as when the Armada was sailing up the channel—united as when Bonaparté pitched his camp on the cliffs of Boulogne. They will return pledged to defend evils which the people are resolved to destroy; they will return to a situation in which they can stand only by crushing and trampling down public opinion, and from which, if they fall, they may, in their fall, drag down with them the whole frame of society. Against such evils, should such evils appear to threaten the country, it will be our privilege and our duty to warn our gracious and beloved Sovereign. It will be our privilege and our duty to convey the wishes of a loyal people to the throne of a patriot king. At such a crisis the proper place for the House of Commons is in the front of the nation; and in that place this House will assuredly be found. Whatever prejudice or weakness may do elsewhere to ruin the empire, here, I trust, will not be wanting the wisdom, the virtue, and the energy that may save it.

Mr. *Croker*:* Sir; I am not surprised at the acclamations with which the speech of the learned Gentleman (Mr. Macaulay) has been received by Gentlemen opposite, not only on account of the extraordinary eloquence which that speech displayed, and which all must unite in admiring, but also on account of the satisfaction with which his own side of the House must have seen in it a promise, that the learned Gentleman is about to be called to the exercise of his abilities in some high station in the Ministry; for the House must have observed, not without surprise, that part of the speech of the learned Gentleman, in which, with so grave a tone of authority and confidence, he imparted to the House the first, and indeed the only information as to the measures his Majesty's Government has decided upon adopting in the event of the Bill being rejected elsewhere. He has been selected to open, through the channels of intelligence which convey our debates beyond these walls, to the House of Peers, the course which his Majesty's Government would dictate to them, and he is the organ to the country at large of what, in the last resort, are the intentions, and will be the determination, of his Majesty himself;—nay, he has favoured us with a prospective view of the very Address which this House may be hereafter invited to adopt, and, anticipating such adoption as certain, he has given us a sketch of what is to be the speech of the Sovereign in reply to the Address which we are to lay at the foot of the Throne.

It is somewhat extraordinary to see these high and delicate duties confided to a Gentleman who has never yet appeared in political office, and who, notwithstanding his great talents, has hitherto had little other opportunity of displaying them, than in the humbler station of a practising barrister; but those higher authorities, who, passing over his Majesty's ostensible Ministers in this House, have thus chosen to make the learned Gentleman the organ of such high matters, have done wisely and justly; for he deserves this distinction—not merely by his own eminent qualities—but, if I may be permitted to say so, by the shade which his superior talents have cast over those who now appear in this House as the responsible advisers of the Crown. I, therefore, hail the learned Gentleman's approaching promotion;—his merits I fully admit;—his eloquence I gladly acknowledge;—I feel its effects too deeply to wish to deny it [*hear, hear.*]

If the hon. Gentleman who has uttered that sneer means that I feel it, as having ever been directed against me personally, the exclamation is nonsense. With the learned Gentleman I never had any personal contest nor even discussion; and I feel his eloquence as I hope I am capable of feeling what is excellent in its kind even in an adversary. I feel it as the hon. Member I now address cannot feel—as the hon. Gentleman, if he could feel, and were worthy of appreciating such talents, would not have doubted that another, though a political antagonist, might feel also.

I say, Sir, that I admit the learned Gentleman's eloquence, and feel it peculiarly, not only from the admiration it excites, but from the difficulty it imposes upon the humble individual whose fortune it is—*haud passibus æquis*—to follow him. But I am relieved, in some degree, by the reflection that, as from the highest flights men are liable to the heaviest falls, and in the swiftest courses to the most serious disasters, so, I will say, is the most brilliant eloquence sometimes interrupted by intervals of the greatest obscurity, and the most impassioned declamation defeated by the most fatal contradictions; and I must assert, that the speech of the learned Gentleman had points of weakness which no imprudence or want of judgment ever surpassed, and carried within itself its own refutation beyond any other speech I almost ever heard. The learned Gentleman seemed, sometimes, to forget that he was addressing the House of Commons; or, aware that a voice so eloquent was not to be confined within these walls, he took the opportunity of the debate here of addressing himself also to another branch of the Legislature, in, as he no doubt thought, the words of wisdom taught by experience. Not satisfied with those vague generalities and that brilliant declamation which tickle the ear and amuse the imagination, without satisfying the reason, the learned Gentleman unluckily, I think, for the force of his appeal, thought proper to descend to argumentative illustration and historical precedents. But whence has he drawn his experience? Sir, he drew his weapon from the very armoury to which, if I had been aware of his attack, I should myself have resorted for the means of repelling it. He reverted to the early lessons of the French Revolution, and the echoes of the deserted palaces of the Fauxbourg St. Germain were reverberated in the learned Gentleman's eloquence, as ominous admonitions to the peerage of England. He thinks that frightful period —the dawn of that long and disastrous day of crime and calamity, bears some resemblance to our present circumstances, and he thinks justly; but different, widely different, is the inference which my mind draws from this awful comparison. It were too much for me to venture to charge the learned Gentleman with intentional misrepresentation of the transactions to which he thus solemnly refers, but I must say, that he seems to me to labour under strange forgetfulness, or still stranger ignorance. He tells us that he was but young when these events happened; but there are some of us not much older than he, who witnessed that period with a childish wonder, which ripened, as the tragedy proceeded, into astonishment and horror; and, after all, it requires no great depth of historical research to be acquainted with the prominent features of those interesting and instructive times. I am, therefore, I own, exceedingly surprised, not that the learned Gentleman should have thought the illustration both just and striking, but that he should not have felt that the facts of the case would lead any reasonable and impartial mind to conclusions absolutely the reverse of those which he has deduced from them. He warns the Peers of England to beware of resisting the popular will, and he draws from the fate of the French nobility at the Revolution, the example of the fact, and the folly of a similar resistance. Good God! Sir, where has the learned Gentleman lived,—what works must he have read,—with what authorities must he have communed, when he attributes the downfall of the French nobility to an injudicious and obstinate resistance to popular opinion? The direct reverse is the notorious fact, so notorious, that it is one of the common-places of modern history.

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* Printed by authority, from the corrected Speech, published by Mr. Murray.

Allow me, Sir, to inform the learned Gentleman, and to recall to the recollection of the House, in a few words, the true circumstances of that case. France, by her ancient constitution, in principle very analogous to our own, had a national representation called the States-general, divided, like ours, into estates or classes, who, in separate Chambers, exercised each its distinct judgment on the public interests, and constituted what, if the assembly had been annual, or even frequent, would have presented a close resemblance to our King, Lords, and Commons in Parliament assembled,—but, unfortunately for France, this fundamental frame of government had been suffered to fall into disuse, — the monarchs, dreading their popular composition, assembled the States-general only at long intervals, and never but in cases of the last emergency. Under such an emergency, Louis 16th called them together in 1789; and for the first time for 200 years, the Nobility and Commons or *Tiers Etats* of France were summoned to deliberate, as we annually do, *de arduis regni.* And here, Sir, commenced that struggle to which the learned Gentleman has ventured to appeal. After assembling in one body to hear the Speech from the Throne, the estates, according to the ancient and undoubted constitutional regulation, returned to their separate Chambers to proceed with their respective duties. But the *Tiers Etat* felt as some of the Members in this House appeared to feel with respect to our House of Peers, that it would be inconvenient to permit it to exercise independent functions, —and the first innovation proposed at Paris resembled that which is now the proposition in London, and was to the effect, that the House of Peers should succumb to the House of Commons, and, acting under the impulse of intimidation, consent to become the mere registrar of whatever edicts the *Tiers Etat* might think proper to dictate. The first project by which the revolutionists in France thought that a virtual abolition of the aristocratic branch of their old Constitution would be the most practicably and effectively carried, was the abolition of separate Chambers, and the union of all the estates in one House, where the numerical majority of the Commons would reduce into the position of a weak and impotent minority the whole body of the nobility. To this monstrous proposition —which, however veiled in the sophistry of popular plausibility, was, in fact, the whole revolution,—will it be said that the nobility were not justified in offering a firm, constitutional, and unanimous opposition?—they must have seen, that by the union of the Chambers into one, not only was their proper influence destroyed, but that there was practically an end of their own order, of the ancient constitution of the States-general, and, finally, of the monarchy of France. In fact, the proposition of the *Tiers Etat* was a *Reform Bill*, calculated to increase the democratic, and lower the aristocratical influence;—and seeing that the nobles were reluctant to commit so suicidal an act, they determined to force them to the fatal step by every species of fraud and violence, deceit and intimidation; and much the same kind of arguments were then addressed by pretended friends and open enemies to the French Chamber of the nobility, which is now directed against our House of Lords. But did the nobles, on that vital occasion, show that blind and inflexible obstinacy which the learned Gentleman has attributed to them? Did they even display the decent dignity of a deliberative council? Did they indeed exhibit a cold and contemptuous apathy to the feelings of the people, or did they not rather evince a morbid and dishonourable sensibility to every turn of the popular passion? Was it, Sir, in fact, their high and haughty resistance, or was it, alas! their deplorable pusillanimity, that overthrew their unhappy country? No inconsiderable portion of the nobility joined the *Tiers Etat* at once, and with headlong and heedless alacrity;—the rest delayed for a short interval,—a few days only of doubt and dismay; and, after that short pause, those whom the learned Gentleman called proud and obstinate bigots to privilege and power, abandoned their most undoubted privilege and most effective power, and were seen to march in melancholy procession to the funeral of the Constitution, with a fallacious appearance of freedom, but bound in reality by the invisible shackles of intimidation, goaded by the invectives of a treasonable and rancorous Press, and insulted, menaced, and all but driven by the bloody hands of an infuriated populace.

But was this all? did the sacrifice end here? When the *Tiers Etat* had achieved their first triumph, and when, at last, the three estates were collected in the National Assembly, was the nobility deaf to the calls of the people, or did they cling with indecent tenacity to even their most innocent privileges? The learned Gentleman has appealed to the decayed ceilings and tarnished walls of *hotels and chateaux*, where ancient ancestry had depicted its insignia, but which now exhibit the faded and tattered remnants of fallen greatness. Does the learned Gentleman not know that it was the rash hands of the nobility itself which struck the first blow against these aristocratical decorations?

The learned Gentleman attributes to the obstinacy and bigotry of the French clergy the ruin of the Church; but who in truth gave, in those early days of confiscation and usurpation, the first flagrant example of the plunder of the property, and the invasion of the power, of the Church?—A Cardinal Archbishop! Who first proposed the abolition of tithes?—A noble and a prelate!—and on principles, too, let me observe *en passant*, so extravagantly popular, that even the patriot Abbé Gregoire, of jacobin notoriety, could not countenance them. And in that celebrated night, which has been called the "*night of sacrifices*," but which is better known by the more appropriate title of the "*night of insanity*," when the whole frame and order of civilized society was overthrown in the delirium of popular compliance, who led the way in the giddy orgies of destruction?—Alas! the nobility!—Who was it that, in that portentous night, offered, as he said, on the altar of his country the sacrifice of the privileges of the nobility? A Montmorency! Who proposed the abolition of all feudal and seignorial rights?—A Noailles! And what followed?—We turn over a page or two of this eventful history, and we find the Montmorencies in exile and the Noailles on the scaffold?

I trust, Sir, that the innate spirit and honour of the Peers of England require no admonition from the learned Gentleman, and no lessons from foreign examples; but if such examples were becoming or necessary, I, too, should venture to implore the House of Lords to contemplate with awful attention the conduct and the calamities, the mistakes and misfortunes, of the nobility of France.

But such considerations are, in my opinion, superfluous. The conduct of the House of Lords for six centuries—from the era when the Barons founded the Constitution at Runnymede, to the days when they restored it at the Revolution of 1688, and confirmed it by the Hanoverian Succession;—for all these great constitutional triumphs, and many intermediate ones, were achieved principally by the House of Lords, as the representatives of the higher orders of the people—this long series of patriotism and courage on the part of the Lords, gives us, I say the happy assurance that they need no foreign example to incite them to, and that no domestic turbulence can deter them from, the firm and fearless performance of their constitutional duties. They will stand, as they have hitherto done, like that proud and castled isthmus which divides the Mediterranean from the ocean, breaking, on the one hand, the stormy waves of democracy, and on the other, moderating the pressure and resisting the rise of the Royal prerogative.

But the hon. Gentleman says, that if, upon this occasion, the Lords should take upon themselves to exercise their undoubted—until this hour, at least, undoubted—right of deciding for themselves—of hearing with their own ears, and speaking with their voices;—if, says he, they take upon themselves to exercise their judgments upon the measure now about to be produced to them, they will array themselves in opposition to the declared wishes of the people, and will teach the nation the fatal secret—that the House of Lords can exist only while there is a mock House of Commons. A mock House of Commons!—What! has that been a mock House of Commons, under which England has enjoyed a century and a half of happiness and glory—of civil and religious liberty—of individual security and freedom—and of general national prosperity, unexampled in the history of the world?

In the whole course of the debates on this question of Reform, no one has attempted to say, that there has been any alteration in the constituent state of this House from the Revolution to the present hour. No one has pretended to say, that one close borough has been added, or that one more county has fallen into aristocratical nomination. No such allegation has been or can be made; nay, the very reverse is the fact,—the Representation has gradually become more popular; and there are many Gentlemen on the opposite side, whose very presence here attests that the basis of Representation is wider than at any former time. For the last thirty or forty years there has not been a hint that the power of the Crown has increased. From the celebrated day when Mr. Dunning proposed, and the House voted, the suicidal motion, that 'the power of the Crown had increased, was increasing, and ought to be diminished,'—from the day, I say, when the House came to a vote which remains a practical blunder upon its Journals — from that day all question of the undue increase of the power of the Crown, and all arguments for Parliamentary Reform on that account, have been completely and for ever silenced.

But this fact suggests another very powerful reason against the Ministerial proposition. I should say, that the majorities which we have seen this Session in favour of the Reform Bill prove that the Reform Bill is unnecessary. If this Parliament does not speak the voice of the people fairly and fully, the hon. Gentlemen opposite lose the only arguments they have urged for their measure, and if it does, they lose the only fact on which they can rely for its justification; for if their assertion be true, we have already a free and popular House of Commons. Do Ministers expect to have in future Parliaments larger majorities than they have at present? If they do, I, as a commoner of England, would object to the pretended Reform on that very ground. If that be the case, I say that the Bill is not only unnecessary, but (upon that account, if there were no other) absolutely dangerous to our liberties, because the power of the Ministry would then become exorbitant and excessive. They are already powerful—I was going to say too powerful; and so, undoubtedly, I should say if I did not believe that, however great the majority in favour of their measure may be here, it is not so great in the country. I do not pretend to be able to guess what the exact proportion of the difference may be, but to those Gentlemen who appear to deny the fact of any such difference, I would beg leave to state, that if all the contests which occurred in the late elections be numerically considered, we shall find that, on an aggregate of about 35,000 persons who were polled, there happened to be, on the whole, a majority in favour of all the Reform candidates of no more than 1,600. With such a fact as that, I do think that I am warranted in saying, that the majority in favour of the Bill is not, in proportion, so great in the country as it is in this House.

The Learned Gentleman has been under the necessity of making another admission of great importance. When pressed to state what practical advantage the country was to derive from a reformed Parliament, he candidly owned that he had little to reply to that question: he was obliged to admit, that of the objects to which the public anxieties were chiefly directed, few, or rather none, could be effected by a Reform Bill, or, indeed, by any measures of legislation or government;—

"Of all the ills that human hearts endure.
How small the share that laws or kings can cure!"

The distress of the country, or the wants of the people, or the pressure of taxation, do not, the hon. Member confesses, originate with the Parliament; and, at all events, Parliament cannot, he admits, remove them. An immediate remedy for these evils it is too much, he says, to expect from the Ministry—too much even to hope from the Reform Bill; but there are, he adds, many wise and liberal measures of Administration which would tend to alleviate the distress which the people mistakenly believe the Reform Bill will cure; but, let me ask, what is to prevent the wise and liberal Administration of the present day from adopting at once those measures for the relief of the country? Will Ministers venture to assert that, with the enormous majority they possess in this House, they could find any difficulty in passing any measure which the wants or wishes of the people may require? Where and what are those healing and salutary laws which we may expect from a reformed Parliament, but which the present Parliament would not vote? What taxes do his Majesty's Ministers wish to remit, that this House would insist on retaining? What measure for promoting the industry, alleviating the distress, or enlarging the intelligence of the lower orders, are his Majesty's Ministers obliged to postpone for want of the concurrence of the House of Commons? I defy the Learned Gentleman to name one; and in addition to the confession of the Learned Gentleman, that no practical good, as relates to the condition of the people, can be expected from the Reform Bill, I must add, as my own conviction, that it will, if passed, produce an unimaginable extent of practical mischief and misery.

But the Learned Gentleman says, that although the people of England cannot expect much immediate relief from it, they are still enamoured of the Bill; that notwithstanding the slight alterations it has undergone, the present Bill is the same as that under whose banners they originally arranged themselves, and that they look upon it now with the same approbation, although with more quiet and tranquillity, than they did before the dissolution of the late Parliament. Sir, if the people of England do so, I must say, that the people of England have lost their common sense; for that any two things can be more different in many important particulars than the two Reform Bills,—the one as it was introduced into the last Parliament, and the other as it now stands in this,—is utterly impossible. With the exception of the *principle* of the Schedules (for the schedules themselves have been largely, capriciously, and I will add, unjustly altered), there are hardly two provisions of the Bill which remain as they were proposed. I admit, that in the eyes of those zealous friends of Reform who look upon *nomination* with so much dread, the affirming the principle of the disfranchising Schedules must be a great merit; but if the people will examine the Bill closely, they will find that every part of it which applies to their own personal interests, has been changed in the most material degree.

I had intended, if the speech of the Learned Gentleman had not led me to a different line of reasoning, and to so great a length, to have offered some observations on the detail of these alterations; but I do not feel that I have the strength, or that the House would have the patience, necessary to the exposure of the anomalies —the apparent partiality, and the flagrant injustice of all the provisions of this extravagant Bill. There are some, however, which I must notice.

The first thing that appears on the face of the Bill, is the distribution of the future franchise amongst particular counties and towns, in a way that cannot but excite the strongest suspicions of partiality in the framers of that distribution. I do not mean to charge upon the noble Lords opposite,—as I told them the other night I should not,—corrupt partiality and favouritism. Neither parliamentary decorum nor the forms of civilized society would authorise the imputation of personal motives so dishonourable; but no reserve, no complaisance, can induce me to conceal the truth, and I therefore must assert, that if they had been actuated by such motives, I cannot comprehend how they could have more effectually executed them, than they have been by the provisions of this Bill.

To avoid, as much as possible, occupying too much of the time of the House, I shall take an instance or two in each class of enactments, and I shall begin with the case of one of the boroughs which has not yet, I believe, been mentioned; but to understand this case thoroughly, it is necessary that we should revert to that of St. Germain's, about which we have head so much. The House will recollect that his Majesty's Ministers were pleased to draw two arithmetical lines, by which the right of Representation was fixed,—all towns falling under 2,000 inhabitants being wholly disfranchised, and those falling under 4,000 retaining but one Member. The town of St. Germain's passed the first of these; it had 2,400 inhabitants, and ought, consequently, according to the rule which Ministers themselves had laid down, to be allowed to return one Member. "But," says the noble Lord, "although I take population as my guide, I must also consider how many *ten-pound* houses the borough may be able to produce as the foundation of the new constituency. Now I find that St. Germain's happens to have but thirteen *ten-pound* houses, and, therefore, I shall except it from the general rule, and give it no Member at all." The House will see that this reasoning is in itself absurd, because, as the Commissioners appointed by a subsequent clause of the Bill have a power to extend a small borough until it shall include 300 *ten-pound* houses, it is of no great consequence what the present constituency may be. But I pass over this absurdity, and will abide by the noble Lord's new rule. But does he himself abide by it? We shall see.

There happens to be another borough, which, within its own limits, has not 2,000 inhabitants, and which ought, therefore, to have found its place in Schedule A; but by adding to the *borough* an adjoining *township*, it is raised to 2,600, and was originally placed by the side of St. Germain's in Schedule B; and as it stood nearest St. Germain's in population, so it did also in the number of *ten-pound* houses; for as St. Germain's has 13, so the other borough has 14 houses of that class. Nothing, therefore, can be more similar than these two cases, and yet nothing more dissimilar than the treatment they have received. We have seen, that on the revision of the Bill, St. Germain's was violently detruded from Schedule B, and condemned to utter disfranchisement. What was done with this other borough? Was it put into the disfranchising index? No. Then, of course, the House must expect that it was left, as it originally stood, in Schedule B. No such thing; not only has it escaped from that total disfranchisement which has annihilated its twin—St. Germain's, but it has been removed from Schedule B, and is restored to its entire ancient privilege of returning two Members to Parliament.

Now I see, that the curiosity of the House is awakened to know the name of the place which has thus fortunately, and, as it hitherto seems, unaccountably escaped from both the disfranchising clauses of the Bill.—It is Westbury! How the facts which I have stated with respect to these two boroughs can be answered,—how the disfranchisement of the one, and the preservation of the other, can be justified, I know not. Will it be denied, that such circumstances have a suspicious appearance? and what must be the feeling of the House when I acquaint them, that this strange transaction is accompanied by other circumstances still more suspicious? While Westbury stood in Schedule B, it returned one Member known to be opposed to the Ministry; but just about the time when it was restored to its full franchise, that Anti-reform Member vacated his seat, and Westbury, grateful, no doubt, for its prolonged existence, has sent back in his room, not merely a reformer, but one of those Gentlemen who is supposed to have been employed in practically framing the Bill. Here, then, are two cases, as nearly alike as possible, both placed by the Ministers themselves in Schedule B. On a revision of the Bill, one of them, St. Germain's, is annihilated, while the other, Westbury, is loaded with the plentitude of favour; and Westbury, at the same moment, accommodates with a seat the very Gentleman whose pen, probably, had erased its name from the fatal list of proscription. There are many other borough-cases not, perhaps, quite so suspicious, but as flagrantly unjust,—but, for my present purpose, this example will suffice.

But I must call the attention and wonder of the House to proceedings, similar in circumstances of suspicion, but infinitely more extensive and important, with regard to several of the counties. An hon. Member (Mr. John Stanley,) has told us, that he cannot bear to hear that Durham has been particularly favoured—that he cannot listen with patience to an imputation of that kind. I must, however, request his patience, and that of the House, while I detail to him facts that will prove, that if Durham has not been most bounteously favoured, it has been most miraculously fortunate.

The hon. Member, the advocate of Durham, tells us, that it has only one Member for every 20,000 inhabitants, while the general average of the rest of England is one Member for 25,000 inhabitants. So far I would grant to the hon. Gentleman that the disproportion does not appear to be very great, at least not great enough, if there were no other circumstances to create such suspicions as we allude to; but it is very easy, by these general averages—*dolus versat in generalibus*—to conceal the advantages which have been given to particular places. When it serves their purpose, Ministers choose to reckon the whole population of counties, in order to show, that the Representation which has been given to them is not disproportioned to that which has been alloted to others. It is evident, however, that in comparisons of this kind, they ought in all cases to deduct from the gross population of the county, the population of those places to which a local franchise has been allotted. When the county of Durham, therefore, is stated to have 207,000 inhabitants, the population of the three or four new boroughs which have been created in it should be deducted. If that were done, then Durham would appear to have no more than 135,000 inhabitants; and so far from being entitled to be treated, as it has been, on the footing of one of the most populous counties in England, it stands, in fact, very low in the scale of county population.

I will take the liberty of making this more clear by stating to the House a comparison between Durham and another county—that of Suffolk—which I have selected, because, under this Bill, they will have nearly the same number of Members, and are thus pointed out by the Ministers themselves as the fairest subjects of comparison. Durham has now only 4 Members, it will have 10; Suffolk has 16, it will be reduced to 9—from standing with a superiority over Durham of no less than twelve Members, Suffolk is reduced to an inferiority of one. Now, of course, the House will believe that, on an arithmetical system—a system made on the *rule-of-three* principle of modern statistics—Durham must have some extraordinary claim, upon the score of population, wealth, or size, to be thus preferred. Quite the contrary: Suffolk has 270,000 inhabitants, and Durham only 207,000—the larger county by 70,000 inhabitants is to be mulcted of seven Members, and the smaller is to be overloaded with six. But then it may perhaps be said, the size of the counties justifies the difference—Durham is probably more extensive than Suffolk? No such thing—it is one-third smaller. Well, but then, perhaps, it is very rich; the contribution to taxation on the part of Durham is probably considerable, while that of Suffolk may be very scanty? No; that conjecture will not do—for favoured or fortunate Durham contributes to the assessed taxes but 18,000*l.* a-year, while degraded Suffolk contributes 48,000*l.* a year. Thus then, it appears, that Suffolk, which is to be reduced below the scale of Representation to which Durham will be raised, has a population greater by one-fourth, is larger in size by one-third, and contributes to the revenue in assessed taxes about one-half more than its northern rival.

But the case of Durham and Suffolk is not the only comparison which affords results equally pregnant with suspicion. Let us consider the case of the county with which the Prime Minister is more particularly connected,—Northumberland,—and, on a comparison of that county with Norfolk, you will find another ministerial county favoured in a similar way. Both Norfolk and Northumberland are to have 11 Members, the former having had

12, and the latter but 8. To produce this equality, Northumberland is to be raised up four Members, and Norfolk to be reduced one. Doubtless it will be supposed that these counties, to whom equality of Representation has been allotted by our arithmetical lawgivers, are equal in all other respects—who, therefore can be so unreasonable as to object to the raising up of the one and the lowering of the other in order to produce this equality? Now, attend! The population of Norfolk is more than double the population of Northumberland, the first having 260,000 inhabitants—the other only 126,000. Then, with regard to size—Northumberland, it may be imagined, though not so populous, must, nevertheless, be considerably larger than Norfolk: just the contrary—its area is considerably smaller. Then, as I said in the former case, perhaps the wealth of Northumberland, as measured by the amount of its contribution to the public revenue, is greater than that of Norfolk. The contribution of Northumberland is 22,000*l.*, that of Norfolk 53,000*l.* Thus, again, we have equality of Representation between two counties, although the one is greater in extent, has double the population, and pays more than double the amount of taxation of the other.

I shall now proceed to another topic—but I beg pardon — there is another favoured county which I had forgotten—I must not omit Cumberland!—if I did, "what would they say of Cockermouth?" I shall compare Cumberland, which at present has 6 Members, but is, in future, to be endowed with 8, with Essex, which is to return 9. Let us see whether Essex stands towards Cumberland in the ratio only of nine to eight. Cumberland has 156,000 inhabitants—Essex has 289,000; so that, if I calculate rightly, when Cumberland obtains eight Members, Essex should have about fifteen. But we may be told, that Cumberland is a very large county, and that extent ought to be reckoned for something;—for argument's sake I will grant this latter theory—but it happens, that Cumberland is not so large as Essex; the difference is less great than in the preceding cases, but still Essex is considerably larger. Then the taxation.—Here I am sorry to say, that Cumberland does not shine. The total amount of the taxes paid by that county is 21,000*l.* a year, while Essex, whose Representation barely exceeds that of Cumberland, contributes to the assessed taxes no less than 82,000*l.* a-year, nearly four times the Cumberland amount.

Now, Sir, is it not a most extraordinary coincidence, that three counties which seem to be so extravagantly favoured in Representation—and favoured at the expense of other greater, richer, and more populous counties*—should be the counties with which Lord Durham and Lord Grey, and the hon. Baronet opposite, the First Lord of the Admiralty, are more particularly interested: and I would beg the House to observe, that these cases are not of my selection; I take those which have been picked for me, by the hands of the Ministers themselves—and very choice specimens they undoubtedly are; I doubt whether I could have picked better myself. I have been led to mention them only by the circumstance of their happening to have either the same, or nearly the same, number of Members with the other counties with which I compared them: where

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* Comparative View of the mode in which the REFORM BILL treats the counties of DURHAM and SUFFOLK,—NORTHUMBERLAND and NORFOLK,—CUMBERLAND and ESSEX,—as to the number of Members assigned to each respectively.

	Durham.	Suffolk.	Northum.	Norfolk.	Cumb.	Essex.
Present number of Members	4	16	8	12	6	8
Proposed number	10	9	11	11	8	9
Size in acres	679,040	967,680	1,197,440	1,338,880	945,920	980,480
Population, including represented towns	207,673	270,542	198,965	344,367	156,124	289,424
Population, excluding represented towns	135,670	239,407	126,489	260,865	116,136	268,200
Payment in taxes, including represented towns	£30,743	£59,156	£42,260	£75,795	£21,807	£89,430
Payment in taxes, excluding represented towns	£18,614	£48,006	£22,755	£53,569	£14,455	£82,237
Proportion of representation to population, one Member for	20,000	30,000	18,000	31,000	19,000	29,000

the Bill exhibited equality of Representation, I naturally looked for equality in some, at least, of the elements on which Representation is professedly founded; and, instead of any such equality, I find the most remarkable differences, the strangest anomalies, and, I must add, every appearance of the most flagrant injustice.

But this is not all—

"Thus bad begins, but worse remains behind."

The Ministers, when they resolved to increase the number of county Members, had recourse to their favourite device of a numerical line, and we shall see, that they have juggled the counties with the same kind of arithmetical legerdemain with which they have defrauded the boroughs. The county line drawn was at 150,000 inhabitants; and all which exceeded that line of population were to have four county Members. Now one naturally inquires what county falls the first within this favoured line? Ministers are, no doubt, totally disinterested—above all party feelings—and still more incapable of any personal bias. But, then, is it not very extraordinary, that this impartial line should be so drawn, that the smallest county included by it should be this same Ministerial county of Cumberland? Well, but that may be by accident; but which —by accident—is the next county that falls so very closely within this line? Northamptonshire, which returns the Noble Lord, the Chancellor of the Exchequer; then — by accident — comes Worcestershire, which has just returned the Noble Lord's brother—the first time, I believe, that one of his family have represented that county; and, close on the heels of Worcestershire, we are not surprised to find—still by the merest accident—the Prime Minister's own county of Northumberland. All these would have been excluded, had the line been drawn at 200,000 instead of 150,000.

The consequence to be naturally expected from all this arrangement would be, that in each of these four counties, four of his Majesty's Ministers would have a good chance of influencing the return of four Members; but the cases are still more suspicious than even on the first examination they appear. In apportioning four county Members to the county population, it is quite clear, that the population of towns possessing a separate franchise ought to be excluded:—for instance, it would have been absurd to reckon, as the rural population of Middlesex or Surrey, the city of London or the borough of Southwark. Equally absurd is it to allow the population of Whitehaven or Sunderland, to which the Bill has given separate Members, to be reckoned over again, as forming parts of the county population of Cnmberland and Durham, and thus entitling them to an additional number of county Members. Yet it is by this trick—a trick at least it seems to be, and such, unless it can be explained, the whole country will believe it to be—that the Ministers have contrived to make their favourite counties fall within the line of 150,000; for if we exclude the separately represented towns, we shall find, that Cumberland has only 115,000 inhabitants, Northumberland but 126,000, Worcestershire 129,000, Northamptonshire 147,000, and even the stately palatinate of Durham itself becomes reduced to 135,000.

But connected with this provision of the Bill, which gives four Members to certain counties, there are some further considerations, which I think will surprise and even arouse the House. No doubt this increase of Members was very well intended, and I am inclined to believe that it was at first very popular. Of course every voter in the larger counties was delighted at the proposition. "A boon!" he cried, "a boon! I shall now have four votes instead of two—four Members to represent my interests instead of two—four Members to solicit my little jobs in Downing-street instead of two. In short, I am just double the man I was." But of all people the agriculturists fancied that they had most reason to rejoice. "Increase the Representation of counties, and you increase the power of the agricultural interest." All these propositions were so extremely obvious, that no man would venture to controvert them. But as the larger counties rejoiced, some of the smaller ones began to repine; and it was thought to be very hard upon those poor counties which had not quite 150,000 inhabitants, such as Dorset, Bucks, Berkshire, Oxford, and some others, that they should remain with only two Representatives, while those which had only a few thousand more inhabitants were to have four.

To remedy this grievance, and to make their Bill perfect, Ministers had again recourse to the *rule-of-three*, and they resolved to correct this disproportion by arithmetical rule. "We have given," said they, the larger counties four Members; let us, therefore, give to the middling counties three Members, while the smaller shall remain with two." Perfect calculation — admirable impartiality — beautiful symmetry!—upon which it may look like hypercriticism to observe, that it would have given the 115,000 inhabitants of Cumberland 4 Members, while it only favoured the 120,000 of Hertfordshire, and the 119,000 of Dorsetshire with 3 each, and that the 572,000 of West York, and the 250,000 of Middlesex, were to content themselves with 2. I do not complain of all this, for, by an accident, which I shall allude to presently, this beautiful system has been totally overthrown—but I mention it as one of those curious facts which prove the wisdom, justice, and foresight of the framers of this measure. Thus amended, we saw the Bill, in a state of perfect excellence—clear, consistent, and satisfactory to all interests—laden with good to all men, and ready to bless the empire with its salutary operation; but, alas! what are the hopes of man! Ministers discovered some reason why, instead of giving the large counties four Members each, it would be wiser to divide each county into two shires, with two Members to each:—the change was a mere trifle—an affair of detail, which involved no principle, and could lead to no consequence. It was accomplished, and by its accomplishment it has unexpectedly upset their whole system, and has led to the introduction of such a mass of absurdity into this Bill, as is absolutely incredible.

Instead of leaving the twenty-six large counties with four Members each, they divide them into fifty-two small counties, with two Members each; so that the freeholder of the large county, who supposed that he was to have four votes and four Members, finds himself put off with two votes and two Members; and is, in point of Representation, just where he was before—with this disadvantage, that his two new Members will not, and cannot, be persons of the same weight and consideration as the present class of county Members. But see what follows: the little counties which were to have three Members, for the purpose of placing them on something approaching to a level with those which were to have four, are still to retain those three, though the others have lost their four; so that blessed is he who lives in the *smaller* county, for he shall have the *greater* share of Representation! Every man in Buckinghamshire, Berkshire, Cambridgeshire, Dorsetshire, Hertfordshire, Herefordshire, and Oxfordshire, will have *three* votes (and I am delighted at their good luck) and *three* Representatives in this House. But the men of Yorkshire, and Lancashire, and Devon, and Kent, and all the other great counties in England will have but *two*. The West Riding of Yorkshire, and each half of Lancashire, which are to have but two Members each, are greater, in every point of electoral importance, than four or five of the counties, which are each to return three Members, put together. The five counties will send 15 Members—the West Riding of Yorkshire, whose population is equal to them all, is, by this arithmetical legislation, to have but 2! and thus, from equal data, our impartial Ministers draw such irreconcileable products as *two* and *fifteen*.

But mark how conveniently the new principle of division happens to suit the county of Cumberland! Cumberland is to have four Members. Its real county population, as I have before stated, amounts to 115,000—divide it by two, and the population of either part will be 57,500,—each of these parts is to return two Members. If this be not a mode for substituting *nomination* counties for *nomination* boroughs, I confess I cannot even guess at the meaning of the arrangement. Again, look at Durham—eternal Durham—its two new shires will have only 67,000 inhabitants, who will be placed on the same scale of Representation as 150,000 inhabitants in Kent, and 180,000 in Devon.

I now proceed to another part of the subject. This is a Bill, which, as its preamble tells us, is to extend to many of his Majesty's subjects, who have not hitherto enjoyed it, the benefit of the elective franchise. Now, I find this remarkable circumstance—that in the boroughs preserved in Schedule B, the number of electors heretofore actually polled at the elections has been about 11,000; while, by the returns laid on the Table of this House by the Noble Lord himself, it appears that the expected constituency of all these boroughs will not exceed 4,500 voters. This is a fact which appears broadly on the face of the returns. So that the proposed scheme of franchise would, instead of increasing the constituency of these boroughs, absolutely cut it down by more than one-half. I know the Noble Lord will say, and very truly, that he has provided a remedy for that by the power given to the Commissioners of enlarging the constituency of each borough to 300; and he may probably add, that we cannot yet tell what the actual constituency of these boroughs will be, because they are not yet registered, and that, for the sake of obtaining the franchise, many more *ten-pound* houses will be registered than the returns on the Table contain. All this may be true, and the first part of the answer certainly is—yet what does it amount to?—that they have abolished all the various franchises in England, and have established a new one so partial and imperfect, that the first step of the noble Lord is to disclaim the accuracy of the official tables on which the system was built—that the next step is, to revive the old abuse of out-voters, by creating boroughs which will not have the requisite constituency without calling in places distant five, eight, ten, and even sixteen and seventeen miles distant from the town itself, to which the right is nominally given; and the last step of the Noble Lord's answer, is this: that hereafter considerable numbers of houses will be, for election purposes, rated at 10*l.*, which, in truth, have never been supposed to be of that value; in other words, that there will be a bounty on fraud and perjury. But I would also make another observation in rejoinder; the number of 11,500 which I have mentioned, are of electors actually polled, not merely of those who had a right to vote; and I think that any one who knows how impossible it is to poll a borough completely out, and how seldom above two-thirds of the whole number can be really brought to the hustings, will agree with me that, the number of such unpolled votes will fully counterbalance any fair increase which can be expected to the number of *ten-pound* houses, as stated in the official returns: at all events it will be confessed, that there can be in Schedule B at least no increase of the franchise extensive enough to justify such a sweeping subversion as the Bill makes of all existing rights.

Similar observations apply to the great body of remaining cities and boroughs. I find from the same official papers—which, be it always remembered, were laid before us on the 7th of March last, by the Noble Lord himself, as the basis on which his new Representative system was built—I find, I say, by those returns, that the numbers actually polled in these cities and boroughs, at former elections, were considerably above 100,000 persons, while the number of new electoral houses is but 80,000. Why, then, under pretence of extending the elective franchise, it should be actually restricted—why, when we affect to abolish out-voters, we should create them in half the boroughs of the kingdom—why, when we profess to correct frauds and abuses we should adopt a system which, if we place any confidence in the official returns laid before us for our guidance, the system cannot work without greater frauds and additional abuses — his Majesty's Ministers may hereafter endeavour to explain; but certainly up to this hour they have not afforded us the shadow of an excuse.

But I am ready to admit that, in the progress of the Bill, its Noble Advocates have devised, or rather I should say, submitted, to an expedient which will largely increase the town constituency. They set out with giving the franchise to the *bonâ fide* yearly occupiers of houses of the value of 10*l.* How stands the Bill now? Why this, one of its leading and most important features, is entirely altered, and an amendment has conferred the elective franchise on every weekly lodger, at a rent of *three shillings and ten-pence* per week. An hon. Gentleman (Mr. Hawkins), who, last night, extemporised such a string of premeditated sarcasms, and treated us with so many elaborate impromptus, was peculiarly eloquent in favour of this *ten-pound* clause. He lamented the imperfection of human knowledge, which offered us no other measure of intelligence and education, but income. Information—sagacity—the fitness for the exercise of constitutional franchises, were, he said, to be measured only by property; and the exact amount of property, which, he thinks, implies those electoral qualities, is—*three shillings and ten-pence* a-week! Nay, Sir, he expatiated on this theme with profuse delight, and called this *three-and-ten-penny* clause "the most simple and beautiful resolution of a political complexity that the wisdom of man ever devised," and congratulated the House, that, after all ages and nations had failed to discover the true test of electoral capacity, his Majesty's Ministers had "beautifully" solved the problem into the exact sum of *three shillings and ten-pence a-week.* I must repeat, that if the people of England are, as we are told, enamoured of such a system, supported by such arguments as these, the people of England have lost their common-sense. But, on the contrary, my firm opinion is, that when the people of England come to understand the Bill, they will find it to be an odious and ridiculous mass of inconsistency and injustice from beginning to end. There is not one page of it—hardly one line—which does not contain similar absurdities to those which I have pointed out.

I now proceed to the examination of another topic—the creation of new boroughs; and here I am met by the same appearances of partiality and favouritism, and the certainty of similar anomalies and incongruities which I have observed upon in preceding cases. I begin by asking, in what county will the smallest of the newly-created boroughs be found?

I beg the House to observe, I should not ask this question, if there were only one instance of what, in the face of the transaction, appears to be partiality or favouritism. I should not have before mentioned Cumberland, if it had not stood near to Northumberland; nor Northumberland, if it had not been backed by Durham. I should not have mentioned the case of any one of these places, if the whole did not exhibit such an accumulation of evidence, as would, in my opinion, convict any man at the bar of the Old Bailey.

I return, therefore, to my question—which is the borough, that with the smallest population, has been favoured with the Representative privilege? I see the name is ready to burst from the lips of every Member of this House—it is Gateshead! and in which county is this fortunate borough situate?—the answer is equally prompt—in Durham! And will it be said, that this fact is not an additional ground of suspicion? Every circumstance connected with Durham is curious and important; it is the county of all England which is to receive the greatest addition to its Representation, with the smallest proportion of population. Examine this as you will; read the population returns backwards or forwards, upwards or downwards, multiply, subtract, or divide—do what you please, but still this is the fact, that Durham is the most favoured of counties; and another fact is equally notorious, that the Minister the most connected with Durham is supposed to have had the greatest share in framing the provisions of the Bill; so that if the people of England are still enamoured of the Bill, it must be as some hon. Gentlemen even in this House are, who vote—aye, and speak for it still, without having read it, and, which is less surprising, without understanding it.

I think I am well authorized in saying, that Gentlemen vote and speak for the Bill without having read it, by what passed in an early part of this evening, when the gallant member for Milborne Port (Colonel Maberly) took upon himself to reply to the speech which my learned friend, the late Attorney-general (Sir J. Scarlett) delivered yesterday. That gallant Officer thought fit to enlighten my learned friend on points of law, and to correct him in point of fact. My learned friend had complained of the hardship imposed on Sheriffs by the necessity imposed on them of erecting booths, without having the opportunity of knowing whether booths might or might not be required. But the gallant Officer rebuked my learned friend's ignorance, and told him, that every body knew, that it was the common practice at county elections to have the nomination a week or so previous to the poll; so that the Sheriff would thus have abundance of leisure to inform himself as to the probability of a poll. The gallant Officer handled this topic with great ingenuity and ability, but unfortunately his ingenuity and ability were all quite thrown away, for it turned out that the provision which my learned friend had objected to, was precisely that clause which directs, that the poll should in future take place on the day *but one* next following the day of nomination; so that it is quite clear that the gallant Officer had not only not read the Bill he defended, but had not even listened to the arguments to which he professed to reply. Having taken twenty-four hours to prepare his answer to my Learned Friend, I think it a pity that the gallant Officer did not employ one short half-hour of the time in reading the clause upon which he was about to expend so much argument and eloquence.

I now, Sir, come to another very important merit attributed to the Bill by its advocates—I mean the saving of expense. The noble Lord, the Member for Northamptonshire, dwells with great complacency on the great advantage which this Bill will confer on the country, by diminishing the expenses of elections. Now let us see how this is likely to be. Under the Bill there may be fifteen polling places kept open for two days. Under the present system there can be but one polling place kept open for fifteen days. Now twice fifteen is thirty; so that if my arithmetic is right, fifteen polls for two days is just double one poll for fifteen days, and in that proportion the expense must be increased instead of being diminished.

For Ministers who affect to build up a new constitution on the rules of arithmetic, it does seem to me that the Noble Lords opposite are peculiarly unfortunate in all their calculations. I really doubt whether the Noble Lord opposite even yet sees that a poll of two days at fifteen places is arithmetically equivalent to a poll of thirty days at one place, yet I take upon myself to assure the Noble Chancellor of the Exchequer, that such is the fact.

But, again, under the present system, a candidate finding, in the course of the first, or the second, or the third day, that there is a majority against him, frequently gives way, and saves the county, his antagonist, and himself, the expense and trouble of a protracted contest; but under the Bill, how is a candidate, when there are fifteen polling places scattered over the county, to know whether he has a majority, or not? or, even if he should find that out before the close of the second day, he can save neither time nor expense, for the fifteen polls are all at work, and the greater part of the expense must have been already incurred. Why, Sir, an unfortunate county candidate will, hereafter, not be able to come to the hustings without having built fifteen booths, feed fifteen counsel, retained fifteen agents, hired fifteen poll-clerks, collected fifteen tallymen, and opened twice or thrice fifteen taverns for the refreshment of his friends—and all this even though the polling should not last two hours; and from these expenses there will be no possibility of escaping. The boasted celerity of the whole proceeding will render retreat equally difficult in all cases, and the slightest contest will be nearly as expensive as the greatest. I am firmly convinced that it will, in practice, be found that these enactments, if ever they were to be brought into operation, would more than double the costs of every contested county election.

But, then, says the Noble Lord, the voters will not have to travel so far—they will not cost so much for conveyance, because the poll will be taken near home; but I beg leave to remind the Noble Lord of an argument of a directly contrary effect, which he used the other night when it was proposed by an hon. Member on this side of the House to take the poll in parishes—the Noble Lord resisted that proposal, because, said he, "You would indeed shorten the distance, but *that* saving of expense would be more than counterbalanced by the increased number of poll-clerks and agents which would become necessary." So that the Noble Lord himself sets off poll-clerks and agents as counterbalancing travelling expenses? But, after all, will the practical working of the Bill diminish travelling expenses? I should say quite the contrary. I think the expense will be doubled, and I think I can demonstrate this.

I presume, that the Noble Lord does not mean that the good old custom of the candidates' appearance before the assembled electors is to be abrogated. He admits that there will be, nay, that there must be, a day and place of nomination, where the candidate may meet his assembled constituents, to render an account of his trust, to explain his parliamentary conduct, and to solicit a continuance of their favours. This the Noble Lord has more than once admitted to be essential. To carry this into effect, the electors must travel to the place of nomination, which, I presume, will be the chief county-town, where the elections are at present held. It will be indispensable, not only as a matter of delicacy, but also as a matter of prudence, that the candidate should wish to see as many of his constituents as possible, in order to ascertain their feelings before he ventures on the expensive experiment of a poll; and every candidate will, of course, endeavour to exhibit all the strengh he can muster—the great body of voters will therefore be brought to the place of nomination, and having held up their hands for their favourite candidate, and had a competent portion of refreshment—for which, as well as for their travelling expenses, the favourite candidate must pay—they return to the places from whence they came, and two days after must set out again for the fifteen polling places where they are finally to vote. In this way, I say, the travelling, and therefore the travelling expenses, will be doubled, and I do not see how this is to be avoided. There is a constitutional necessity that the candidate should meet the constituent body. I defy any English gentleman, or any legislator, who knows anything of our political habits and feelings, to say, that it is fitting, or probable, or even possible, that the candidate should not endeavour to collect the constituency at large at the place of nomination. Nor can I imagine how this is to be done without all the marching and countermarching, and all that accumulation of expense, which I have described. If the Bill should pass with such enactments, I say it is perfectly impossible that any one but a madman should contest a county; and he must not only be a madman, but a madman with a prodigality of wealth.

It was suggested in the Committee, by some one at this side of the House, that there might be a riot during the two days that the poll is allowed to be kept open, and that one party might get possession of the polling-place, and that some provision should be made against such an accident —but the Noble Lord (Althorp) made as light of the danger of a riot as he did of the expense which might be incurred between the nomination and the poll. I have, however, an authority on both these subjects which I think will convince the Noble Lord that neither of these apprehensions are visionary. I have happened to meet in the Garrick Correspondence, lately published, a letter from Mr. Arthur Murphy, a person very celebrated in his day for his literary acquirements, who also happened to be a practising barrister—and who, in 1767, appears to have been employed as counsel in a contested election at Northampton; one of the candidates, I rather think, was a certain Lord Althorp—

[Lord *Althorp:* I think the right hon. Gentleman is mistaken. An election in 1767 must have been for the town, and my father was too young to have been the candidate.]

My reason for supposing that Lord Althorp was the candidate was, that I did not apprehend that Lord Spencer would do as much for any other man, as he is stated to have done on this occasion. Mr. Murphy writes to Mr. Garrick, under the date of the 14th May, 1767:—"Our election is fixed for Thursday, and Lord Spencer offers 50*l.* and 60*l.* for a vote. At present the other two Lords have a majority, but how matters may fluctuate between this and the polling-day, it is impossible to say. I only wish that my Lord Spencer may not treat us with a riot between this and that time." Now this letter proves not only that there may be very considerable expenses incurred between the day of nomination and the day of election, but that it is in the power of a Lord Spencer to create a riot. I do not suspect the Noble Lord of any inclination to imitate the turbulence of his ancestors, but it is our duty to provide, that no future Lord Spencer should be able, under this Bill, by bribery or by riot, to carry an election against the interest of the peaceable and unbought constituency.

I next pass to the clause appointing Commissioners; and in what I am about to say I beg to be understood as meaning nothing personally disrespectful towards any of those gentlemen. They are all of them, I believe, respectable persons, and I have the honour of calling several of them my friends. But admitting, as I do, the force of the eloquent apology which Mr. Burke made for political party—and acknowledging, as I must, that it is neither possible, nor perhaps desirable, to banish it from a political system like ours—yet, when I see the irresistible strength with which it operates—how it severs the ties of nature—how it obscures the understanding—how it distorts the sight—and even warps the heart of the most honourable and most amiable of men—I cannot see without alarm any judicial and administrative functions committed to the members of a party. Why do Ministers decline to trust the most ordinary duties of office to those who are opposed to them in politics?—why have they dismissed Members of this House because they voted against them on the Reform Bill? I do not blame Ministers for this: it would perhaps be impossible for the Ministry to conduct a Government, or for their adversaries to keep an Opposition together, if it were not for this feeling. All I contend for is, that for the same reasons that party men are alone employed in political offices, it is utterly inconsistent with the feelings of human nature or the principles of the Constitution, that such persons should be intrusted with any duties which partake in any degree of a judicial character. I have, I repeat, great respect for the gentlemen who have been appointed Commissioners. There are two of them, for instance, Members of this House, hon. friends of mine, whom, in the ordinary business of life, I would readily trust with my life, my property, or even my honour—yet, on a subject like the present, involving party considerations, I would not confide in them any more than I should in any other political partisans. Notwithstanding their high and deserved character in all the relations of private life, I would not trust them—nor should I myself expect to be trusted by them—with the decision of a Turnpike Bill, if it assumed a colour of political party.

There are, I say, the names of two Members of Parliament, and of two only, in this list of Commissioners. Now it is worth while to inquire what could have guided the views of his Majesty's Ministers in their selection of these two Members? I admit that their talents are considerable, and their respectability undeniable; but there are many others as able, as respectable. I am forced, therefore, to look elsewhere for the special cause of their selection, and I ask, who was the county Member, unconnected with office, who took the largest share in promoting the progress of the Reform Bill? Who was the county Member unconnected with office, who sat with the most active assiduity by the side of a Noble Lord, and, when difficulties arose, with respect to certain parts of the Bill relating to the county with which the hon. Member is connected, who stood forward as the Noble Lord's assistant and sponsor? Who was the county Member—almost the only county Member—who favoured the House with his testimony and his opinion on the boundaries and connexions of boroughs;—It was my hon. friend the member for Staffordshire (Mr. Littleton); and he is the single county Member whose name is placed in this Commission.

Now let me turn to another hon. friend. Who, was the Gentleman, who, when we were debating that a certain borough should stand in schedule A, volunteered his testimony in favour of the Ministerial proposition, and, from his personal experience, took upon himself to state, that the borough in question was not entitled to have a Representative? Who was it that, on other similar occasions, gave, I know not which to call it, his evidence or his opinion, in a direction that the Ministers thought proper to follow? There was one Member, and, as I recollect, one only who did so—and that one, that only one, my hon. friend and former Colleague, the member for Bodmin (Mr. Gilbert)—is included in this Commission. The Ministry, then, I say, have selected the two Members, unconnected with office, who particularly distinguished themselves in favour of this Bill.

But this is not all. The town of Walsall, it may be remembered, is the smallest town—(Gateshead is the smallest borough, but Walsall is the smallest town)—to which a Representative is given; it contained only 5,500 inhabitants, and when I objected to Walsall, as not falling within the Ministerial line, who stood up in defence of it? Why, my hon. friend the Commissioner (Mr. Littleton) will not do his duty,—he will break faith with this House, and particularly with me, if he does not go down and superintend the construction of this new borough of Walsall. During the whole discussion of the case of Walsall, so well did my hon. friend understand it, so much better, indeed, did he understand it than his Majesty's Government, that the Ministers left the debate—and they could not do better—in the hands of my hon. friend the Commissioner. My hon. friend, the Member and Commissioner, is popular everywhere; but, if there is any place where my hon. friend the Commissioner is peculiarly popular, it is in this new borough of Walsall—which is near his residence and adjacent to his property, and therefore all the world must agree that he is the fittest—because he must be the most impartial — man in England to assign its limits, and appoint its constituency.

The next name I shall mention is that of the right hon. the Lord Chief Baron of Scotland, Mr. Abercrombie—an excellent man, but I protest I should have as soon expected to have found the Archbishop of Canterbury's name in the list. Sooner, indeed; for the Archbishop might possibly know something about the boundaries of Lambeth, and could, at least, attend the Board without any neglect of local duties. But this Commissioner is the Lord Chief Baron of Scotland—a Judge of the land, or what is worse, of another land,—and he is to be dragged from his proper duties and his local jurisdiction, through all the labour, through all the embarrassment

—through all the low details—through all the party squabbles, and through all the odious suspicions that belong to the discharge of a duty of this contentious nature. I can only say, that if, when I and others, who are now around me, sat on the opposite benches, we had proposed to mix up a Judge with such party concerns, and to make him, if not a political partisan, at least a political inquisitor, we should have received the most violent castigation from those who now sit on the Ministerial benches; and we should have deserved it. I do see in this measure a degradation of the judicial character hitherto unknown in this country; and I lament it, not only on the ground that it is a degradation inflicted on the public station, but because I consider it as an imputation on the character of the Chief Baron of Scotland himself. I am doubly sorry to see so honourable a person, and the son of so glorious a father, degraded into a political machine, and subjected to the risk of sullying at once his own judicial ermine, and that of the ennobled hero from whom he has sprung. But I may be asked, can the Commissioners really effect any political object? Can their decision effect any party purpose? I say they can. Let us suppose that two or three of these Commissioners had been Tories—for my objections apply equally to all party-men, whether Whig or Tory—suppose, then, three Tory Commissioners were sent down to constitute the borough of Tavistock,—suppose them to feel, not unnaturally, indignant at seeing, that while all the Tory boroughs in England were swept away, the Duke of Bedford's close borough of Tavistock was likely to become closer than ever; and suppose these Tory Commissioners to resolve to throw into the existing borough (which stands upon, perhaps, a hundred acres) a circle of ten miles round that town,—what would be the consequence? It would almost inevitably destroy the influence which now prevails in Tavistock, and the Duke of Bedford would then share the fate of his Tory competitors. It is mere nonsense, then, to talk of sending men, influenced by party-spirit, to perform the duty which devolves upon these Commissioners, and to suppose that duty can be performed without exciting, at the least, suspicion, when one recollects the certainty with which they could promote the interest of a political friend, or injure the interest of a political opponent, by selecting 200 or 300 electors from a Whig or a Tory property, as the case may be. The House cannot have forgotten the remarkable avowal made by the First Lord of the Admiralty, on the subject of the new borough of Whitehaven, when he confessed, that the general Ministerial rule was, in that single case departed from, in order to defeat the influence of Tory property which happened to lie in its neighbourhood. What an instruction to the Commissioners!

I proceed to the other Commissioners. After the name of the Chief Baron of Scotland, I find that of a gallant officer—his Majesty's Quarter-Master General—who, upon the formation of the present Administration, occupied more of the public eye and ear, perhaps, than any other person—more even than the Lord Chancellor himself. I remember that, at that time, a letter was handed about, said to have been written by the noble Earl at the head of the Ministry, requesting this gallant person to accept a high office—a Cabinet office—in the Government; and stating, moreover, that the acceptance of this offer was considered by the writer as essential to the stability and success of the Administration then about to be formed. This eminent person did not accept the situation thus tendered to him, for reasons and upon grounds which I should have liked to have amused the House by stating; but, although not at all foreign to the matter in hand, it would now occupy too much time. This eminent person, however, did not accept the office that was tendered to him; but it was from no want of party-feeling—nor from any difference of political opinion with the noble Lord at the head of the Government. He refused, however, the office of Master-General of the Ordnance with a seat in the Cabinet, and we saw no more of this gallant and eminent person until we beheld him emerging from his dignified retirement in the less dignified character of seventh travelling Commissioner, under the 23rd Clause of the Reform Bill. How are the mighty fallen! This eminent person, who, a little year ago, refused the highest military command and a seat in the Cabinet, is now to be employed under six commanding civilians, in finding out how many *ten-pound* houses there may be discoverable in Westbury or Thirsk. I do wonder that this eminent person should have accepted such an office; but if I am surprised that he has taken such—a command I cannot call it—but such a service—I am still more surprised, since it has been admitted by the noble Lords opposite, that there should be something like impartiality on the face of the commission, to find that one so intimately connected with their party—not to say their faction—as to have been proposed for their Cabinet—should have been placed by them in this station of presumed impartiality.

But I proceed with the list. Since this Bill has been under discussion, it may be remembered, that there has been an Election Committee sitting on the case of the borough of Great Grimsby. Two gallant friends of mine were declared not duly elected, and a new election took place. Grimsby, be it recollected, is placed in schedule B, and is one of those boroughs which will require the assistance of the Commissioners to establish the amount of its future constituency. A certain nobleman (my Lord Yarborough) is known to have long exercised a powerful interest in the elections for the borough of Grimsby; and, on the late election, he sent down two very able and respectable persons, with every possible recommendation—except their politics—to stand for the vacant seat. With all their claims, however, and all the interest of my Lord Yarborough, those Gentlemen were defeated. The Reform Bill, to which they were zealous friends, hung, I am told, like a millstone round their necks, and they sank—but they sank to rise again, like the gallant officer, where we should have least expected to see them. It is usual with a party to give their defeated candidate civil speeches, and to endeavour to soften the mortification of such a defeat; but his Majesty's Government applied the most extraordinary plaister in this case I ever heard of. To heal his wounded honour, and console him for his fall, they have made one of the defeated candidates of Great Grimsby another of these Commissioners; and there is nothing but his own decency and modesty (and I am sure the hon. Gentleman possesses both these qualities) which can prevent him from exercising the extensive authority which he will derive under this Bill, in that very place where he appeared only three weeks ago as the defeated candidate of a defeated interest. If that hon. Gentleman is above being swayed by any circumstances connected with the late election, to which he was a party, still I would say, that it is not consistent with common decency, to send that person to Great Grimsby to execute the duties which will devolve upon him under this Bill. But that is not all:—Mr. Bellenden Kerr, the gentleman just alluded to, could not go to Great Grimsby as a candidate without an agent, and he selected a very active, and, no doubt, a very respectable one. This agent, I am satisfied, made himself intimately acquainted with all the details of the borough, its history and politics. He perambulated the bounds—he catechised the voters; he knew whether John Jenks lived in his father's house or his own, and whether Peter Wilkins or his brother Isaac paid the last Michaelmas rate. I dare say he performed his duty as an active and zealous agent, and that his employer, with such an agent, would have been fortunate, if it were not for the circumstance I have already hinted at. I can imagine, when the business was talked of afterwards at Lincoln's-Inn, and that some legal friend said to this gentleman, 'God bless me! Tallants, how is it that, with Lord Yarborough's interest, and your own auspicious name, you should have been defeated at Great Grimsby?'—I have no doubt Mr. Tallants replied, with something of professional pique, but still most truly—"Oh! it was no fault of mine—we failed entirely from professing to support that damned Reform Bill." Well, if there was a plaister required for the political honour of the candidate, there was also one required for the professional credit of his agent, and he, too, is made a Commissioner.

The House seem incredulous; but I do assure them, that of the two gentlemen, of the names of Kerr and Tallants, who appear in this most impartial list of Commissioners, one is the defeated candidate for Great Grimsby, one of the boroughs to be visited, and the other is his electioneering agent.

But if the auspicious name of Mr. Tallants favoured his appointment, the same reason can hardly be assigned for the selection of the Rev. Mr. Sheepshanks. I know nothing of the reverend gentleman—I doubt whether I ever heard his name before—I am sure I never shall forget it. I have heard, since I came into the House, that he is a very able man, a tutor at a college, and a person of considerable acquirements; but that—in addition to these merits, which certainly are not those which, in my opinion, would designate him for an office of this kind—he is known to be a strong political partisan. This is, as the whole Bill is framed, but a minor objection—my more serious complaint is, that it is a degradation to place a minister of religion in such a situation—that it is almost a desecration of his character. However unobjectionable he might otherwise be, I consider it to be most improper to impose upon a clergyman the performance of these secular, and worse than secular, duties. I may be told, perhaps, that he is a clergyman who hangs loosely on society, and that he has no tithes to gather and no souls to cure; but still I say that he is, from his clerical character, an improper person to be mixed up in such miscellaneous proceedings as these.

My right hon. friend near me (Sir Robert Peel) suggests, as an excuse for Ministers, that they have only named the reverend gentleman to a "travelling fellowship;" and it would be well for them if the whole transaction could be passed off as a mere pleasantry:—but I have done with the Rev. Mr. Sheepshanks.

The next name I come to is that of Mr. Henry Martin, formerly well known in this House. He certainly could not be promoted to a travelling fellowship, for, if I am not mistaken, neither his age nor his health are likely to fit him for any activity of locomotion. He was, I believe, only the other day, appointed by the present Lord Chancellor a Master in Chancery; and of course it would be highly indecorous to insinuate aught to the prejudice of the political impartiality of a gentleman selected for an office so nearly judicial. No one who knows anything of the eminent and distinguished person now presiding over the Court of Chancery could hesitate to repudiate at once the idea of his promoting to a judicial station any man suspected of being a thorough-going politician; but I have been long enough Member of this House to recollect, that this new Master in Chancery was, in his day, one of the most ardent party-men in Parliament. He was, I remember, the very coryphæus of the Opposition, who took the lead in the first motion against the Administration of Mr. Perceval; but he retired from this House and from public life, as everybody supposed, from age and infirmity.

This ancient gentleman, my ancient friend, as I believe I might call him (for, though differing in politics, I had the honour of some private acquaintance with him), has suddenly emerged again into active life, after a respite of, I should think, full fifteen years. I certainly never hoped to see him in active business again; but my Lord Chancellor has, it seems, dipped him in the fountain of youth, and enabled him to perform the duties of not only a Master in Chancery, but a riding Commissioner; the latter office is well selected, for I fear he is quite unable to walk. By the way, I should like to know, as a mere matter of curiosity, what may be the age of the late Master, who has been superannuated to make way for my ancient friend, whom, to say the truth, I should rather have expected to have found the subject than the reversioner of a superannuation. It is, however, some consolation to find that my ancient friend is not expected to discharge the duties of a Commissioner without assistance, for a little lower down, in the list of Commissioners, stands the name of Mr. Martin, junior, who, I understand, is a son of the ancient gentleman. The gout, which, as every one who sat in this House twenty years ago must recollect, afflicted my ancient friend, and which I had supposed to have totally disabled him for a perambulating Commissionership, will not be a matter of much consequence, since the provident care of his Majesty's Ministers has joined his son in the Commission, with a view, no doubt, of enabling him to transact his father's business, and to look after his father's little comforts; and so what between Mr. Martin the elder, and Mr. Martin the younger, the duties of the Commission cannot fail of being ably, intelligently, and, above all, impartially performed.

I said, I believe, that my hon. friend, the member for Staffordshire, had distinguished himself almost alone by his extra-official advocacy of the Bill; but the list of Commissioners reminds me that I should have stated that his hon. colleague, the other member for Staffordshire (Sir John Wrottesley), had also tried his hand in the same line, and was almost equally entitled to the honour of being appointed a Commissioner. But it was felt, I suppose, that to have only two county Members in the Commission, and these two both members for Staffordshire, might have excited some unpleasant discussion. To save appearances, therefore, Ministers did not appoint the other member for Staffordshire; but as similar merits should be similarly rewarded, had he no son, no brother, no cousin, or any one over whom he could exercise influence, who could be named to represent him in the Commission? A reference to the list of Commissioners enables me to make an attempt to solve this problem; and I cannot but suspect that John Wrottesley, Esq. will be found to be the son or the brother of the member for Staffordshire. Upon my word, the interests of one party in Staffordshire seem to have been pretty well taken care of; and I advise my hon. friend, the member for Tamworth, to keep a sharp look out, or he may find, one fine morning, that these Commissioners have removed his house and estate out of the parliamentary limits of the new county of Stafford.

I have now shown that, in the selection of this list of Commissioners, the independence of Parliament has been violated —the judicial bench has been degraded—the Church has been profaned—the law has been juggled—and the Horse Guards, in the important person of his Majesty's Quarter-Master-General, has been made ridiculous; there was but one possible step further, and it has been taken.

This House, Sir, the House of Commons of England, has been advised to yield up, if not its privileges, at least its dignity, on a point which it has always regarded as of the greatest delicacy, upon which it has always been most jealous—that of preventing the interference of any external authority with its internal constitution, upon which subject it has never suffered either "King or Kaiser," Peer or Prelate, even to whisper an opinion; but now I find in this Commission the name of the Clerk of the House of Lords—the Clerk of the other branch of the Legislature is to be intrusted with the power of deciding, in this new tribunal, who are to be the electors of Members to this House. I never could have thought that it could have come into the head of any Minister, and still less that the House of Commons would have submitted to delegate one of the most delicate duties connected with its privileges to the Clerk of the House of Lords. It is, in my opinion, one of the most extraordinary propositions ever made to this House. I am well acquainted with the personal respectability and integrity of this gentleman. He is worthy of all private confidence, and he has it; but, as an independent Member of Parliament, I always must and will object to make a gentleman holding this official situation, a judge in a tribunal which is to decide questions of election law.

I have now done with the Commissioners. I hope that, in the remarks I have made upon them, I have not thrown out one word—I certainly did not mean to do so—in the slightest degree derogatory to their private characters. What I have said is solely in reference to the public circumstances in which they happen to be placed, and to their fitness for the discharge of the additional public duties which have been, by this extraordinary piece of legislation, intrusted to them. I protest against Judges, Masters in Chancery, Parliamentary partisans, the King's Quarter-Masters-General, the Clerks of the other House of Parliament, and others of similar description, being the persons to parcel out the constituencies, and to influence the Representation of the Commons of England. I hope—I believe—I am confident, that this monstrous innovation upon every principle of the Constitution will fail; but I cannot, on the mere probability of its failure, refrain from denouncing so mad and profligate an attempt, or from holding it up to the contempt, the ridicule, and the indignation of the House, and of the country.

My next objection to this Bill is, that I see in it an attempt to bring the honourable profession of the law under subjection to the Government of the day. I revere and honour the profession of the law, because I have always found, both in history and experience, the members of that profession foremost in the defence of civil and religious liberty, and the firmest asserters of parliamentary and national independence; but, with all my great confidence in the integrity of the Bar, I cannot consent to place so much legal patronage, as this Bill must confer, in the power of the Crown; for, disguise it as you will, the substantial patronage of this department must eventually vest in the first legal adviser of the Crown and its Ministers—the Lord High Chancellor. I cannot refrain from holding up this part of the Bill also to the suspicion and disapprobation of the Bar itself, and of the country in general. By the proposed division of the counties, and by all the new-fangled trumpery which we are now going to substitute for the ancient forms of our Constitution, we have created sixty-eight counties; and to these sixty-eight counties, sixty-eight barristers are to be appointed annually, to decide votes and try election causes. These barristers are, at present, to have only five guineas a-day. The noble Lord was a little coy at first, and proposed *pounds;* but then an amatory whisper was breathed by an hon. and learned member of the profession—"Oh, do pray make it *guineas.*" "No; I cannot, indeed! and indeed, I cannot!" replied the noble Lord. "Pray—pray do, for the sake of the profession," rejoined the hon. and learned Gentleman; and, at last, after a little similar toying, the noble Lord, nothing loth, murmured, in the soft notes of acquiescence—"Well, then, *guineas* be it."

I will undertake to say, that before long, the same sort of gentle violence will be urged from some other and higher quarter of the profession, and it will be said that these five guineas ought to be made ten; and when this is done, that they ought to be made fifteen, and then, peradventure, that they ought to be twenty guineas, and twenty guineas they soon will be made, and twenty guineas, in my opinion, will not be too much for the duty. I presume, that, to say nothing of the boroughs, none of these sixty-eight counties will have fewer than ten, and some will have as many as thirty thousand registries; and, let it be remembered, that these sixty-eight barristers will hold these sixty-eight courts, and decide these hundreds of thousands of cases, not merely for one year, but must every year go through this species of circuit. This being the case, it is easy to foresee that these barristers will soon become permanent officers in their respective counties, with salaries of four, five, or six hundred a-year each, and in the course of time these will become most important political functionaries, and a most powerful addition to the legal patronage of the Crown. Has it escaped the recollection of the country, that one of the principal reasons that induced the House of Commons to reject the County Courts Bill was, the additional patronage that it gave to the Crown in the appointment of the forty barristers as Judges, and the passing of that otherwise most useful Bill was prevented by the jealousy that was felt at the appointment of such a mass of salaried officers. But what are we now going to do? Is it not proposed to give the Government—for to the Government it must eventually fall—the appointment of sixty-eight Judges, who will no doubt have adequate salaries for the performance of their duties, and who are to exercise important and influential offices in immediate connexion with the Representation of the people?

I have already trespassed too much on the time of the House, and I will not, therefore, venture to go into the consideration of a number of other details connected with this Bill, which I had originally intended. I had also wished to state some further general reasons in opposition to this Bill, which is, in my opinion, likely to effect a complete revolution in the Constitution of the country; but I feel that I have already exhausted the patience of the House with the lengthened statement which I have made. I will, therefore, draw to a conclusion, but not until I have satisfied my feelings and my conscience by some observations on the menacing tone in which some hon. Gentlemen have permitted themselves to anticipate the conduct of the House of Lords.

I am satisfied, Sir, that if we, as appears but too certain, should pass this Bill, and that the House of Lords should be intimidated into the adoption of it, we shall have arrived at a period similar to that in the history of France, which, at the outset of my speech, I called the *night of insanity;*—the revolution will have commenced, and the experiment of a republic will be near at hand. Let me not be understood to suppose, that a republic can be permanently established in this country. No, Sir, I entertain no such opinion—our habits, our manners, our good sense, and our political experience all forbid it. I only mean to say, that an attempt will be made to establish a republic; I know that such an attempt would ultimately and inevitably fail. But in the progress of that failure what may happen—

> "Through what variety of untried being,—
> Through what new scenes and changes might we pass?"

There may be blood, there may be rapine, there may be both—I hope not. I observe that one hon. Gentleman, the member for Westminster, expresses some surprise, and, it seems, disapprobation, that

I should make these allusions to such contingent dangers. I can only say, in reply, that if the hon. Gentleman had attended to the whole course of the debate, he would have known that the allusions were not originally mine—I merely echo, or, I should rather say, retort the language of those who threaten us with such calamities if the Bill be not passed; while I, in my conscience, believe that there is more danger of such misfortunes from the passing than from the rejection of the Bill.

But, Sir, whatever be the peril, and on whichever side it may lie, our first duty is truth; and no consideration shall induce me to conceal what of danger I see in the one course, and what of hope opens to me on the other. I do not affect to deny that we live in critical and eventful times; nay, Sir, it is part of the charge that I make against his Majesty's Ministers, that they have led us into these appalling difficulties. I say the noble Lord who brought in this Bill—*te ipso judice, te confitente*—it is you who have created the panic; the country, but a year ago, was quiet if not contented, and prosperous if not pleased. It was the noble Lord and his Colleagues, and I only repeat his own previous admission, who awakened this fury of Reform, and created such a frenzy in the public mind that the strongest, indeed the only argument which the friends of the Bill urge upon us or the Lords, is—that a civil war will ensue if we dare to reject it. But I repel that supposition, as well from my confidence in the returning good sense of the people of England whenever they have been momentarily led astray, as from the peculiar circumstances by which the present agitation was created. The danger has not sprung from the spontaneous dissatisfaction of the nation, it has been created by the unjustifiable temerity of the Ministry—by the introduction of this revolutionary Bill—by the votes of the late and present Parliament—by the angry dissolution—by the anarchical elections—by the instigation of the Government—and, above all, by the abuse of the sacred name and authority of the Monarch!

The people of England are not turbulent, but they are excited by a rash and inexperienced Administration. The people of England are not revolutionary, they only echo the opinions, and follow in the train of the constituted authorities. The people of England are not thirsty of blood, or prone to rapine, but they have been told from the Ministerial Bench of this House, and they have been told even from the Throne, that their enthusiasm is patriotism—that in supporting the Reform Bill they were supporting the King, and that their violence in favour of this revolutionary measure is the most acceptable proof of loyalty and affection.

From these causes of the ferment we are led to the cure; the power which has given the wound can heal it; and I hesitate not with perfect confidence to predict, that if the other House of Parliament does its duty firmly and fearlessly, the country will be saved. We, at least, of the minority, have the consciousness of having done ours through a struggle of unparalleled length and difficulty, and against a numerical majority, that in any less vital case would have deterred us from persevering in a contest predestinated from its outset to be fruitless; but, after all our ineffectual labours—our baffled efforts—our signal defeats, I own that I would rather be, as I am, one of this consistent and conscientious, though defeated minority, than be reckoned in that extraordinary majority which, a few nights since, voted to retain Aldborough in schedule B, and within five minutes after voted to condemn the exactly similar case of Downton into schedule A.

I know well that such votes as this were necessary to pass the Bill, but what a Bill must it be which required from its supporters such sacrifices! I admit, that those who were anxious to carry the Bill, acted most wisely in declining to examine its details. Desirous of concurring in their votes upon it, they had no other course than to shut their eyes and not open their mouths; for, on the rare occasions on which they did, collisions or differences of opinions inevitably arose, which endangered the very existence of the majority. To-night, when the padlock which has been so long set on their lips has been removed—when the hitherto silent supporters of the Bill have ventured to become its advocates, we have seen enough to show that, had this free expression of opinion begun earlier, the Bill never could have reached its present stage. Of all its adherents, who have spoken in this debate, not one, or I believe only one, has declared himself fully satisfied with its provisions. Some hon. Members, even, did not hesitate to treat the Bill for which they are about to vote with a severity of criticism and expression not exceeded by its most zealous antagonist. I have seen, also, a considerable effect already produced on the minds, though not on the votes, of hon. Gentlemen in this House, by the unanswered and unanswerable arguments of my hon. friends; and I rejoice to believe that they have had a somewhat similar effect in the country.

I am not one of those who venture to talk confidently of a reaction—I am not sufficiently informed of the state of public opinion, to say that it has already changed, but I will venture to assert, that it soon will change; as enthusiasm cools, reason revives, and whenever reason revives, the popularity of this monstrous Bill is gone. Our debates have not altered many votes in this House, but they have shaken many opinions; so I believe they have in the country at large. Sure I am, that the discussions in this House have prepared the public mind to listen with more than usual attention and respect to that which is about to commence in the House of Lords.

We have not been able to gain the victory, but I hope we have contributed to enable the Peers to do so; and I can have no doubt that, as we have performed our duties, so the Lords will perform theirs, in spite of the dangers, real or imaginary, with which weak or wicked counsellors are attempting to terrify them. It were a libel to suspect them of being capable of yielding to such menaces! and I say, that if the hereditary portion of the Legislature performs its part with zeal and honesty—if it is faithful to its station, its duties, and its honour, I have no fear for England.

I have always regarded as the peculiar constitutional excellence of the House of Lords, that it is removed from the immediate impulse of that popular excitement which will occasionally disturb the judgment of every free people—which, from the very constitution and nature of a representative government, is felt in a sometimes dangerous degree even in this House. On that august assembly neither hollow flattery nor insulting menaces will have any effect; they know and appreciate their station and their duties. Firm in their own hereditary honour, they are not to be blown about by squally gusts of popular inconsistency:

> Intaminatis fulget honoribus,
> Nec sumit aut ponit secures,
> Arbitrio popularis auræ.

Why is it, that a Constitution so democratic in some of its general principles as ours, has yet invested one branch of the Legislature with such aristocratical privileges? Why is the Peerage surrounded with such transcendent distinctions of personal dignity? and why are these personal distinctions still further enhanced by being hereditary? Why are they robed in ermine, and reverenced as the highest tribunal of law as well as legislation? Why are they treated, in social intercourse, with a degree of respect that may seem almost unbecoming a free people? And why, as a public body, do we surround them with some portion of that majesty—I had almost said that sanctity, which environs the Throne, at the steps of which it is their privilege to hold their august assembly? All these distinctions are conferred on them less for their sakes than for ours. They are thus honourably segregated from their fellow citizens, that they may not be involved in the vortex of the popular current. They are raised so high that they may have a more extensive view—that they may be able to exercise a calmer judgment, and to form a more deliberate opinion on the crowded and tumultuous scenes which may be passing below them.

These are considerations upon which the superiority of the Lords is acquiesced in by the Commons of England; these are the reasons that the Members of this House, admitting no personal superiority in any man or body of men, are content to follow you, Sir, when, with a kind of proud humility, we present ourselves at the Bar of the House of Lords, to receive from the Woolsack the commands of the Sovereign. Are we degraded—are we humiliated by this? No—we, who are inferior to none in this country, and superior to those of any other country which is not free, do not think ourselves degraded by thus giving the example of order and obedience to all the other gradations of society, by thus contributing our exemplary aid to the smooth and steady working of the political machine, and by joining our cheerful consent in the full and accordant harmony which results from and attests the well-regulated influences of every constitutional power.

In what crisis of public affairs will it ever be permitted to the Peers to exercise their deliberative functions if it be denied to them now? or are they henceforward to understand that they must confine their independence to amending a Turnpike Act, or criticising a Bankrupt Bill? Such trifles for a little longer they may be allowed to employ themselves upon; but as a deliberative council of the nation, their functions are at an end for ever, if, either from error of judgment or by poorness of spirit, they should on this occasion be intimidated or misled from the exercise of their constitutional rights.

It is, Sir, for occasions of this very kind that the peculiar power of the Lords has been created. On great and vital questions, when the parties in the State and the people in the country are strongly divided and violently agitated, the Lords should intervene, like Judges or Arbitrators, to see that the matter in dispute be discussed with temper, and decided by justice; and surely there never was a question that required a calmer consideration, or deserved a more deliberate judgment than that which is now in discussion; a question which divides the public mind more than any question that has ever occurred—a question on which public opinion was so nearly balanced, that, as I before stated, out of 36,000 electors who polled at various contests in the last election, there was only a majority of 1,600 found in favour of it; a question in which the opinions of Members of this House differ to an extent never known before—a question in which the late Parliament was divided, in the proportion of 302 to 301 (the miserable unit, by which the majority was gained, being of a character on which, if this were the time, I should have much to say)—a question the most important that has ever agitated the hopes or fears of the people of this country—a question even more important than that of the Revolution of 1688, or of the settlement of the Crown of these realms on the House of Hanover! It is on such a question, and it is in such circumstances, that the House of Lords ought to feel that their intervention is peculiarly appropriate, I will even venture to add, indispensably necessary—this is the conjuncture for which they were specially constituted—this is the hour of trial—not so much of our trial, as of theirs—this is the final contest on which they must decide, if they hope ever to decide again—this is the struggle, from which they must rise victorious, or rise no more—now or never!

Sir, I have been educated in a constitutional reverence for the House of Lords, second in order, but not differing in principle, from that which I feel for the Throne. I see in that august body the real connecting bond between the King and the people—the conservative principle of our mixed Constitution. I respect the functions which have been allotted to it, and I am proud of the integrity and courage with which it has exercised them. I have rejoiced to see the honour with which it is regarded, and which it has deserved, by a long and not merely unblemished, but splendid course of public service—I have augured well for the permanence of our national prosperity when I have seen *this* assembly successively transferring, as it were, to the House of Lords, as pledges of confidence—I had almost said of affection—our brightest ornaments. I have exulted to see the most eminent talents and services in this House rewarded, in the public opinion and in their own, by the dignity of the Peerage; and to believe that any public man, whatever might be his abilities and his services, would—until, perhaps, within the last few days, have considered that dignity as a species of national recompense for the highest public merit.

These are the feelings with which I am actuated towards the Peerage, and these are the feelings which inspire me with confidence that, on the great matter now in question, the House of Lords will exercise its accustomed wisdom, will exert its ancient fortitude, and will vindicate its hereditary honour; but if it were possible that insults and menaces should deter them from their duty—if intimidation should shake them—if fear, in the mask of prudence, should mingle amongst them—if they could forget their most sacred duty in the mean calculations of personal advantage—if they were to abandon that post for the defence of which they have been specially enrolled, and by anticipation rewarded—if, for a phantom of precarious safety, they should part with the solid power with which they are invested, and thus exhibit themselves equally unworthy and unfit for the duties to which the Constitution destines them—then I too, in spite of all my ancient feelings and predilections, I too, would be against a House of Lords.

But I have no such apprehensions; and this melancholy hypothesis has been suggested to my mind, not by any suspicion of the firmness of the House of Lords, but by the audacious and unconstitutional menaces by which they are assailed, and the false, hypocritical, and poisonous advice by which they have been insulted. They will despise and defeat both; and if they are in their consciences convinced that the Bill is, as I believe it to be, pregnant with national calamity—they will resist all menaces, defeat all fraud, and will boldly and bravely, and as becomes the Barons of England, reject the Bill.

And what will follow? Blood—plunder—civil war? No, Sir; the very supposition is a libel on the people—nay, I would say, on the friends of the Bill; for what hope could we have that they would reverence a new Constitution, who would thus, on the first provocation, violate the old? Will future laws bind those who are strong and wicked enough to overthrow all that exist? No, Sir; even if the people of England be as devotedly enamoured of the Bill as they are (I believe falsely) represented to be, they would, however they might lament its failure, still reverence the constitutional authority which, in the legitimate exercise of its judgment and its conscience, had suspended its progress. It might be re-produced—re-discussed—urged again and again on our attention with all the warmth of zeal and all the force of conviction, but we should have no appeal to force.

But if I could for a moment admit the probability of such an extremity, what should be its effect on our minds, but only to invigorate and fortify us to resistance? If force is to be employed, where will it end? If directed against the Lords, how long will it spare the King and the Commons? When the Peers shall be expelled from their curule chairs, shall we be allowed to sit on these benches? How long was it after the House of Lords had been abrogated, that Cromwell burst armed into this place, and, standing almost in the spot whence I am addressing you, commanded his soldiers to "take away this bauble?" [*Mr. Croker, who standing near the Table, here touched the mace.*] Let those, above all, who would countenance the employment of force, beware. Violence done to the Lords would be a sure prelude of violence to the Commons. Does history—does experience, afford a single instance in which those who had incited a rabble to outrage and spoliation, were not, in their turn, and at no long interval, sacrificed by the passions which they themselves had inflamed—unlamented victims of atrocities which their own folly had instigated?

The House of Lords have often found themselves in contradiction to the will of the majority of the people, but they were firm; and when the frenzy of the moment subsided, the sobered voice of the nation thanked them for having thus exercised their moderating power. Thus it was at the Revolution, and thus again at the establishment of the House of Hanover. How infinitely less important were those once engrossing questions, to that on which we have now to decide! Those were temporary, almost, I might say, personal questions, which would have naturally decayed with the progress of time, and died with the men by whom they were raised; but the present question involves principles of eternal application, which may be felt in all times, and by the remotest posterity. Let us emulate the wise and noble courage of our ancestors, and act, in this great and vital question, with the same judgment and constancy that they exerted on the more temporary interests to which I have alluded:—they are gone, and we are going!—but let us take care that, like them, we leave the Constitution of our country unimpaired behind us. Let us take care that, when we go, we may look back upon our course with a self-approving conscience—let us have the pride and the consolation of having preserved those institutions which we inherited from our fathers, and of having transmitted to our children the same liberty, the same glory, and the same prosperity which our ancestors left to us,—let us take care that there be not inscribed on our tomb that opprobrious epitaph which was applied to a Parliament in ancient days, of having been *Parliamentum insanum.* If such opprobrium is to attach to any portion of this House, it will, at least, not be the honourable friends who sit around me, who, without any prospect of power, and, I believe, I may add, without any wish for place — without any hope of popularity — without any expectation, or any wish, of any other reward than the approbation of our own consciences, have defended, to the best of our manhood, that Constitution which we believe to be inseparably united, linked, and, as it were, bound up with the prosperity of our country.

If the Bill be rejected by the House of Lords in the exercise of its constitutional duty, the Commons will, I confidently anticipate, not be wanting in theirs. We shall pay to the decision of the other House the respect which we demand for our own. We shall exhibit to the imitation of the people an instance of that constitutional subordination which is the basis of all society, and we shall, by our precepts and example, teach them that, without such a gradation of obedience to law and of acquiescence in authority, no country can have any guarantee for its peace, its prosperity, its glory, for its foreign independence, or its domestic liberty.

I deny not that the prospect before us is awful—I am not blind to the darkness of the tempest which seems gathering around us, but I see above the clouds the star of the Constitution shining in distant but clear serenity; I hail its prophetic brilliancy, and feel inspired by a sacred hope, that by its saving guidance we shall weather the gale, and ride triumphant through the storm.

Mr. *Stanley* said, that though he differed from the right hon. Gentleman who had just sat down upon most of the topics which he had introduced into his very eloquent and discursive speech, yet there was one declaration in it with which he most cordially agreed; and that declaration was, that though the prospect around was dark and lowering, the star of the Constitution was still shining above us and about us, and that by following its guidance we should still be able to weather the storm and to ride safely at last in our wished-for haven. He believed that these expectations of the right hon. Gentleman would be fully verified, and that they would be verified as soon as ever it was decreed that this Bill should pass into law. The right hon. Gentleman, at the outset of his speech had much depreciated his own ability and talents. At that he was not surprised, for it was one of the ordinary tricks of ambitious rhetoricians. He was, however, much surprised at what followed, for he certainly did not expect to hear the right hon. Gentleman offer an apology for his shrinking modesty. Whilst the right hon. Gentleman was thus unnecessarily trying his hand at an apology, he might have offered one for the ingenuity which he was going to display in evading the real bearings of this question: for after the overpoweringly eloquent speech of his hon. friend the member for Calne, who had entered upon the details of this Bill with all the brilliance of a finished orator, and all the knowledge of an accomplished statesman, the right hon. Gentleman had flinched in the most extraordinary way from the subject altogether, had avoided all its great principles' and had read to that House a funeral oration over the dying efforts of opposition, and to the House of Lords a lesson as to the manner in which it ought to treat this Bill, which would now soon make its appearance before their Lordships. In dealing with the Bill, the right hon. Gentlemen had confined himself to cutting a few jokes on the names of the commissioners, and to a few cavils on the petty details of the Bill. To one gentleman who was afflicted with the gout, to another gentleman who bore the uncouth but homely name of Sheepshanks, to the case of the borough of Downton, to the case of the borough of St. Germains—all, except the gout, fair subjects of discussion — the right hon. Gentleman had returned with the most unenviable pertinacity. All the other points in the Bill had been discussed over and over again in the committee. At that stage the right hon. Gentleman had not said a word upon them, but now—

Mr. *Croker* said that he had reserved to himself the right of discussing these points on the 3d reading of the Bill.

Mr *Stanley* did not know any process by which the right hon. Gentleman could so construe the orders of the House as to reserve to himself a right of discussing these points on the third reading of the Bill. But the fact was, that the Bill had been read a third time already, and it was now quite hopeless for the right hon. Gentleman to carry any amendment on the Bill inasmuch as the question now was, that this Bill do now pass. In this dreadful state of the question, it was some satisfaction to see the right hon. Gentleman, after all his pathetic declamation on the grave perils which at present surrounded the State, able to turn his attention to such light subjects as those which he had introduced into a discussion to which they did not belong, and not unwilling to give the House a merry tune upon his fiddle, even though he stated that Rome was burning. If any stranger had walked into the House, and had listened to the two first hours of the right hon. Gentleman's speech, could he have imagined, from the comic gestures and buoyant tones in which he delivered his speech, that he was discussing the last stage of a measure which he considered more important even than the glorious Revolution of 1688? In the details which the right hon. Gentleman had offered to the House, he had made some mis-statements so extravagant that he (Mr. Stanley) wondered how he could venture to put them before the House. The right hon. Gentleman had again brought under the notice of the House, the old charge, which had been refuted by facts and repelled with indignation and contempt by the House, that Ministers had been swayed by base and corrupt motives in selecting the towns and boroughs for the different schedules. The right hon. Gentleman had referred to the case of St. Germain's; but he had totally forgotten the case of Downton. He had said, that the case of Westbury was one in which Ministers showed extravagant partiality. He stated that Westbury contained 2,600 inhabitants, but even if it were so, that would raise it above the line. But by reference to the returns, it would be found that Westbury contained a population of 6,800 souls. Then, said the right hon. Gentleman, there were only fourteen houses of the proper class in it—that was going upon confessedly erroneous returns. By returns of a later date it appeared that the borough and parish of Westbury contained 310 10*l.* householders. The right hon. Gentleman occupied much time in comparing Suffolk with Durham, Essex with Cumberland, and other counties, as little favoured, as he imagined, as the former, with those who had been more favoured, and wound up his comparison by a joke borrowed from, if indeed it was not in the first instance lent to, a certain publication which every Sunday for a considerable time past had amused its readers by the question of "What will they say at Cockermouth?" He would not follow the right hon. Gentleman in his comparison of the counties, for his whole argument only went to shew that the Bill would not do what it never pretended to do, namely, not fix the Representation of the country on the rule-of-three principle of direct proportion to the population; but if he had taken Lancashire, Derby, and some other counties into the calculation, he might have drawn conclusions directly the reverse of what he did draw. But had Suffolk, and Norfolk, and Essex complained of the injustice? Had they complained of being unfairly treated? Let the county Members returned by the whole of them at the last election answer the question. "Then," said the right hon. Gentleman, "to complete the absurdity, having given four Members to each of the large counties—having thereby offered a boon to the inhabitants, and given them to expect that each man would have a vote for four Members—the opinion of the country and of the House was so decidedly expressed on the subject, as to drive Ministers into that absurdity of all absurdities, the division of those counties." But did not the right hon. Gentleman know, that the division of counties formed one of the provisions of the Bill when first it was announced by his noble friend? So far from flattering the voters of large counties with a hope, in which they were afterwards deluded, of voting for four Members, they had never heard of the Reform Bill unaccompanied by the division of the large counties: and, far from that division having been forced upon the Government, it was the point upon which many hon. Gentlemen, usually supporting them on all the other clauses, opposed them most. There was another point, in which the right hon. Gentleman charged partiality on the Government namely, that the smallest counties and the smallest boroughs were connected with the Government. He instanced Gateshead, but forgot Kendal; so that, to use his own language, it was Tory Kendal, and not Whig Gateshead, that was favoured. The right hon. Gentleman propounded a proposition so startling, that much as he was astonished at many parts of his speech, this astonished him the most. The right hon. Gentleman stated, that the measure, so far from extending the representation, would actually diminish the number of the constituency in counties. [Mr. *Croker*.—In some of the towns.] That, however, was not a fair way of arguing, for the right hon. Gentleman brought the statement forward against the truth of the preamble of the Bill, at least that part of it respecting the increase of the constituency. For this purpose he took a certain number of boroughs, where, as he said, the constituency would be less under the new law than under the old; but he could not understand on what calculation the right hon. Gentleman made out his case. He said, that the number of voters belonging to the boroughs in schedule B would be reduced from 11,000, to less than 4,000. Each of the boroughs in schedule B must, under this Bill, contain 300 voters each; and there are forty-one boroughs in that schedule: instead of 4,000, the new constituency would be above 12,000, being more than, according to the right hon. Gentleman, they now contain. It was true that some of the voters within these boroughs would not have a vote under the new Bill; but that would not occasion a diminution in the total number, as for each displaced, several were added. The right hon. Gentleman had entered into details of the comparative expense of polling under the new and the old law, upon which he would make one remark. He said, that fifteen polling places in different parts of the county, open for two days, was equal to thirty days' polling; and, assuming that there were no means of communication from one part of the county to another, he asserted, that if once begun, the poll must be gone through. The march of intellect and of improvement was much talked of, but if there were one thing in which progress had been made, it was in the communication of one part of the country with another, and that communication was now so rapid, that, even in the largest county, the whole expense of the second day's poll might be saved. But the right hon. Gentleman, who never was a candidate for a county, said, there must be a great expense in the candidate first bringing every freeholder up to the county town, to meet the electors face to face, and answer questions; and next in sending them their several ways to these fifteen polling places. If the right hon. Gentleman should ever proceed on that very liberal system, he would do what no candidate for a county ever did before; he would be a popular candidate, but the election would be most expensive. But in arguing this point, the right hon. Gentleman had forgotten that there were, under the present law, fifteen polling places, open not for two days but for fifteen days, and all at one place. The difference of the expense, therefore, would not, as he said, be twice fifteen to fifteen, but twice fifteen to fifteen times fifteen. He would not enter into the implied charge made against the Government, or rather the Members of this House who were Commissioners for the division of the counties, and appointing the limits of boroughs, for the right hon. Gentleman would not deny, that two out of the three Members applied to, to act as Commissioners, were opposed to the Bill, and that, although one of the two actually appointed was in its favour, yet that the other was against it. He would be willing, it appeared, to place his life, his property, his honour, in their keeping, and yet he would not confide the interests of a turnpike trust to their impartiality. Truly, it was pretty evident that the right hon. Gentleman did not estimate political honour or moral honesty at a very exalted standard. There was one feature of the right hon. Gentleman's speech which he could not very easily reconcile with the character which he had been pleased to ascribe to this atrocious and revolutionary measure. They were now discussing the very last stage of the Bill so denounced, so vituperated, and yet the right hon. Gentleman had been so facetious upon the subject, that one would have concluded he was analysing the unimportant details of a mere road, or a turnpike trust bill, and not a momentous measure of national policy on which the hearts, and minds, and affections of the people of England were irrevocably fixed. He had talked of changes, important changes, which had been introduced into the measure since it had first received the sanction of the public, but how was that assertion sustained? Was schedule A changed? Had schedule B been altered? And was not the franchise to be extended, as at first proposed, to the great towns, to which hon. Gentlemen opposite would now concede the privilege, when they found that it was impossible any longer to withhold it? In short, what one alteration had been made which could in any degree affect the original merits of the Bill, which had found favour and acceptance with the people of England when first mooted? In proof of a change of opinion on their parts regarding the Bill, since the commencement of the debates upon it, the right hon. Gentleman had mentioned, that there was only a majority of 1,600 in support of it out of 36,000 polled votes. That at least showed, that immense exertions had been made to procure a nominal advantage on the side of the Anti-reformers at the late elections, knowing as they did that great personal interests were involved in the result. But had he included the numbers that would have voted for Reform in all the large towns and important counties throughout the kingdom—could he for a moment doubt that the majority out of doors would be even still greater in proportion than that which existed within the walls of that House? Had not the party been obliged to fly at the general election, without a shadow of chance from every popular hustings which they had ventured to contest? And were there not at that moment but six county Members out of the whole Representation of England, who offered any opposition to the Bill? The right hon. Gentleman had referred to Northamptonshire, and stated, that the noble Lord, the Chancellor of the Exchequer, could not possibly have undergone any risk of losing his election, so much was he personally respected, had it not been for the Bill. In that county there was, he acknowledged, a close run; but when the noble Lord came forward with his late colleague to seek the suffrages of the electors, why had he been returned, while his colleague (than whom a better man was no where to be found), had been ejected? The reason was, because he came with the Bill in his hand, when his colleague came without it; and not only was he elected, but another noble Lord along with him, on the strength of that Bill. The right hon. Gentleman had concluded his address with a petty appeal, not to that House but to the House of Lords, whom he conjured to reject or neutralize the Bill; and then proceeded to prophesy what that House should do when the Bill, pursuant to his prediction, should be sent back to them from the Lords, with considerable amendments. He had apostrophized the French nobles too, by way of enforcing his appeal, but those nobles, he would tell him, had been destroyed by their own vacillating conduct, and by want of due firmness when called upon to act. There was a difference, however, between firmness and obstinacy, between dignity of resolve and a tenacity of grasp, which was in the end compelled to drop powerless and paralysed, although it would never have relaxed of itself, how strongly soever urged by expediency to do so. The noblesse granted when too late, and that not at the instance of reason, at the call of argument, but under the influence of direct intimidation. The right hon. Gentleman maintained, that if the Peers threw out the Bill and set themselves firmly in opposition to the declared will of the people, there would be no republic. He thought with him there. A republic there certainly would not be, nor would there be even any attempt to establish one, for the people of England were not actuated by a republican spirit, nor did they foster republican principles. But when the right hon. Gentleman demanded what was our security that we should not be carried to much more desperate lengths than any to which this Bill would commit them, he made answer,—we had the same security which guaranteed the success of the Bill itself, the deep-rooted conviction, the indomitable energy, the resistless voice of public opinion throughout the country. They had the same securities, he repeated, which entitled them to expect the consummation of the Bill, and the sooner the safer—which would maintain the sovereign in all the fulness of his royal supremacy, and which would preserve to the Peers the legitimate exercise of their privileges. The people of England were attached to a monarchical form of government, they revered aristocracy generally, but looked up to their own aristocracy in particular, because here there was no line of demarcation drawn between the aristocratical classes of society, and the people themselves, properly so called. There were in this country no persons peculiarly invested with special privileges to the prejudice of others, no order was exempted from taxation, and the House of Peers as such would be suffered at all times to enjoy to the utmost all their legitimate hereditary rights, because those hereditary rights were not exclusive. Of their privilege of legislation the people by no means desired to deprive them; but the result of their rejection of this Bill—if they did reject it, which he could not contemplate—would be a constant pressure on the Peers as a body. Instead of being venerated and esteemed as the safe-guards and ornaments of the country, they would be regarded with aversion and distrust: no longer esteemed the patrons and benefactors of the poor, they would be looked upon as hard and oppressive task-masters, who wrested from the people a power which they had no right to enjoy, and assumed that which they were not entitled to claim. Whatever might happen—and he trusted ere six months to see the Reform Bill the law of the land, cementing all ranks in peace and unity one with another, thus establishing the empire on a solid and permanent basis — whatever might happen, he repeated, the satisfaction of the right hon. Gentleman at the part which he had performed, could not be greater or more comfortable to the conscience than that of those who had brought forward this mighty and most salutary measure, in the humble confidence that, by so doing, they were most effectually consolidating the liberties of the people.

Mr. *Croker* begged to be permitted to say, in explanation, that the right hon. Gentleman who had just sat down, had either misunderstood or misinterpreted, what he had said relating to the Northamptonshire election. He had not asserted that the noble Lord had been chosen for that county because he held the Reform Bill in his hand, but he had, on the contrary, declared, that he had been elected by the freeholders of Northamptonshire, on account of that esteem which they, in common with all who knew the noble Lord, even his warmest political opponents, always felt for him.

Colonel Sibthorp rose to move, that the debate be adjourned.—Debate adjourned.

HOUSE OF LORDS,

Wednesday, September 21, 1831.

MINUTES.] Bills. Read a third time; the Spring Guns, the Clare Presentments, and the Commissioners of Public Accounts (Ireland.) Read a second time; the Surplus of Ways and Means; the Game Acts Amendment; Committed; the Waterloo Bridge New Street.

Petitions presented. By the Bishop of LONDON, from the Society for the Prevention of Cruelty to Animals, in favour of the Removal of Smithfield Market.

HOUSE OF COMMONS,

Wednesday, September 21, 1831.

MINUTES.] New Member. RODERICK M'LEOD, Esq., took his seat for Sutherlandshire.

Bill. Read a first time; Spring Guns.

GENERAL REGISTRY.] Mr. *Hodgson* presented a Petition from the County of Northumberland, signed by 1,000 Peers, Gentlemen, and Freeholders, against the Bill for establishing a Registration of Deeds. The proposed Bill had the unqualified disapprobation of the petitioners and the inhabitants of the neighbouring counties.

Mr. *O'Connell* expressed his pleasure that this petition had been presented, as he hoped it would provoke discussion, and by so doing, convince the petitioners of the invaluable benefit of a Registration of Deeds.

Mr. *Hodgson* said, he would not be tempted into discussion upon this subject on the present occasion. Nor should he have brought up the petition but for an observation of a member of the Government in favour of the Bill.

Mr. *Cutlar Fergusson* considered, that this Registration Bill would confer a great benefit upon the country at large. It would facilitate the borrowing of money upon good titles; and those gentlemen who had not good titles, should not be permitted fraudulently to borrow money. The system of registration worked well in Scotland; and he saw no reason why it should not work well in England.

Sir *Charles Burrell* observed, in corroboration of what had fallen from the hon. and learned Member, that he knew a person who had a rent-charge bequeathed to him out of a sum of money lent upon mortgage, but by which for many years he received no benefit, for upon investigation there appeared to have been a previous mortgage, and the difficulties and delays arising out of this state of things caused much vexation and loss. This was one instance of some protection being required by those who lent money on landed property.

Petition to be printed.

INFLUENCE OF PEERS AT ELECTIONS—CASE OF HERTFORD.] Mr. *Thomas Duncombe* presented a Petition, of which he had given notice, complaining of the unconstitutional interference of the Marquis of Salisbury with the Elective Franchise, as exercised at the last election by certain electors of the town of Hertford. The hon. Member said, that he felt great reluctance in presenting a petition against a Peer of Parliament, who was not a Member of that House, and could not appear to defend himself, and for whose private character he, in common with the public, entertained a high respect. Those feelings, however, all gave way to the anxiety he felt that the poor should be protected in the independent exercise of their rights, which he conceived had been violated in this instance, in defiance and contempt of an express Resolution of the House of Commons. The petition was signed by thirty-five electors of the town of Hertford, who stated, that they occupied houses in that town under the Marquis of Salisbury, and complained that they had received notice from his Lordship's agents to quit those houses, in consequence, as they believed, of their having freely and conscientiously exercised the elective franchise at the last election, when the petitioners supported the Reform candidates in opposition to the candidate put forward by the noble Marquis. The petitioners stated, that they had paid their rents, or were prepared to pay them; and he begged to call the attention of the House particularly to this allegation of the petition, because the non-payment of rent was the ground on which the ejectment of tenants who had voted against borough nominees was generally attempted to be excused. At first it was intended that a petition should have been presented from the inhabitants of the town of Hertford generally, expressive of their sense of the course adopted by the agents of the Marquis of Salisbury in this transaction; but upon subsequent consideration it was thought better that only the parties aggrieved should come before the House in the character of petitioners. The petition set forth, that the candidates for the town of Hertford at the last election, were Lord Ingestrie, Mr. Thomas Duncombe, and Mr. Currie, and that the two last-named were the Reform candidates, for whom the petitioners voted from conscientious feelings; that Messrs. Nicholson and Longmore were the agents of Lord Ingestrie at the late election, and were also the Solicitors of the Marquis of Salisbury; and that the petitioners received notice, soon after the election, from those Solicitors, acting under the authority of the Marquis of Salisbury, to quit their houses, for no other cause, as they conceived, but because they had voted for Lord Ingestrie. Under these circumstances they prayed the interference of the House, to secure them in the constitutional exercise of the elective franchise. The hon. Member then referred to several affidavits in support of the petition. One of those affidavits stated, that when a person who had lived fifty years in one of Lord Salisbury's houses, sent to the Steward to remonstrate against the notice she had received to quit; the Steward told her that she could expect nothing else, her son had used Lord Salisbury so ill. There were several other affidavits very much to the same effect, and which he (Mr. Duncombe) contended, made out a case of unconstitutional interference. Under present circumstances, he did not mean to follow up the presentation of the petition by moving for any inquiry, or adopting any ulterior measure. The great measure of Parliamentary Reform now in progress, he trusted, would correct all those abuses; but if any unforeseen circumstance should occur to prevent that Bill from becoming the law of the land, or if it should fail in accomplishing all that he desired, he should think himself at liberty to recur again to the subject of the petition. Those poor persons ought to be protected. Poor they were, but they had proved themselves more independent in principle during the late election than some persons of higher rank. If this species of borough tyranny continued, the only remedy would be the Vote by Ballot; and if the Reform Bill did not pass, or did not correct this abuse, he should feel it his duty to bring in a Bill to secure to the electors of the town of Hertford, at least, the free exercise of the elective franchise. Whether that Bill should be local or not, would depend upon the wishes of the electors of other towns similarly circumstanced. But he hoped this public exposure would prevent the recurrence of such practices. It was intolerable that thirty-five families should be turned out of their houses, because the fathers had voted at an election against the will of a landlord.

Lord *Ingestrie* said, he was called upon to make a few observations upon this petition, inasmuch as it complained of the conduct of his noble relative. The facts of the case out of which this petition originated were briefly these:—Some twenty persons waited on the Mayor of Hertford, after the late election, to be sworn to a bundle of affidavits which they brought with them. The Mayor inquired what was their purport? to which they declined giving any other answer than that they wished the subject matter not to transpire. The Mayor refused to swear them; and no man could deny, that such behaviour was not fair dealing on the part of the present petitioners. At the last election for Hertford, 196 of the tenants of his noble relative had voted; forty-five for Lord Ingestrie, fifty-six for Mr. Duncombe, and seventy-one for Mr. Currie and Lord Ingestrie. Out of this gross number of 196, thirty-eight had received notice to quit, not because of their votes, but because they were considerably in arrear of their rents. One man who was three years in arrears voted three times against the friend of his noble relative; another was fourteen months in arrear, and owed 7*l.*; a third was two years in arrear, and owed 11*l.* 19*s.*; and so the others went on in various periods of arrear and amounts of rent. Now was his noble relative or not entitled to eject such tenants? Was it not a constant practice with other noble Lords to eject unprofitable tenants, without any charge having been made against them that they had done so merely for election purposes? The petitioners had imbibed an idea that when the Reform Bill passed, their tenements and lands would be their own, and some of them, encouraged by the present members for Hertford, had questioned the right of his noble relative to so much of his property, although it was perfectly well known that he had purchased it from the Corporation of that borough. He did not question the right of the petitioners to try the question, but he thought it rather hard to complain of the conduct of his noble relative, in ejecting tenants for arrears of rent, when the very same practice was at least in two instances adopted by the agent of the hon. Member (Mr. Currie). His noble relative let his houses in Hertford at as low a rent as any other landlord, besides paying their poor-rates; and in every other respect had conferred the greatest benefits upon that borough. Under such circumstances, he was sure his noble relative would stand acquitted in the eyes of this House and the country, of having acted in any other manner than became an individual of his rank, and of his proverbial generosity and humanity.

Sir *John Sebright* was sorry that any nobleman in England should attempt to control his tenants; he had never done anything of the sort with his, and he was convinced that the consequence was, that he had much greater influence over them than if he was to exercise the most unjustifiable power towards them. But it was because he found the landlords would use their influence unduly, that he had voted against the clause introduced in the Reform Bill to give the franchise to tenants-at-will, holding farms of 50*l.* a-year, believing, as he did, that that class of persons must be entirely under the influence of their landlords, while they themselves would no more possess the franchise, than if they were so many negro slaves.

Mr. *Currie:* I was much surprised to hear the noble Lord attempt to justify conduct, which to every Member of this House must appear to be most tyrannical, inhuman, and oppressive—a line of conduct which, if it fall not directly under the jurisdiction of the law, is, at all events, in direct violation of every feeling of humanity. The noble Lord has taken great pains to show to the House, that the Marquis of Salisbury is a most indulgent and merciful landlord; in the two cases which the noble Lord has mentioned he may appear to be so; but I also have two cases, among many others, to prove directly the contrary, independent of the petition before the House. There is another point which the noble Lord has touched upon. The noble Lord has said that I promised to pay the rent of those people who voted for me at the late election. Now this I most distinctly deny. I never directly or indirectly offered any bribes at the election—I had no High Sheriff of the county to canvass for me—I had no 10*s.* tickets arrayed in the livery of Hatfield-house—I had no noble Marquis at my elbow to declare that if he could not beat me he would ruin me. I hope the noble Lord may not have carried this system with him to Armagh, and having found it successful there, have taken it on to Dublin. I shall not further occupy the time of the House, than by saying, that I must support the petition presented by my honourable colleague.

Sir *Henry Hardinge* believed, that both Whigs and Tories were in the habit of taking means to obtain that just influence for their property which, in his opinion, it was always intended that property should have. Surely the House could not have forgotten what was stated by a Cabinet Minister only a few nights ago, to the effect that the Government had a right to expect the support of its adherents, and in the event of their not giving that support, they must expect to be dismissed. He did not mention this because he disapproved of the sentiment; on the contrary, he thought that it was a right one; though it did so happen that all the time he was in office he had never once interfered with the vote of any individual. But of the two cases—that of the Government and that of a private individual—he thought that the latter was infinitely favourable in the comparison; for it was only using that influence in support of his own personal feelings, which were supposed to belong to every Englishman. When the hon. Member for Hertford, therefore, complained that his noble friend, had exercised some influence over his tenants in that borough, he would say, that, supposing he had done so, he had violated no existing law. Such practices had always prevailed, and would, no doubt, continue under the new Bill. Several of those tenants were three years in arrears for rent, few of them less than one year, all these persons would be disfranchised under the new Bill. He did not complain of the two Gentlemen opposite supporting the cause of those who returned them to that House; they said the conduct of the noble Marquis had been oppressive, but he was of opinion, that he was perfectly right.

Mr. *Hume* wanted to know how the right hon. Gentleman, after never having used his own influence when a member of Government, could justify the Marquis of Salisbury in using his? He was ready to admit, that property ought to have its influence, but in such a case as the present, it claimed an influence which was undue. He had approved of giving votes to tenants-at-will, and if the anticipated inconveniences, as stated by the hon. Baronet (Sir J. Sebright), were to be experienced from that measure, there would be no difficulty in removing the evil.

Sir *John Sebright* said, that it was not in human nature that men would give up the means of living merely because they had a right of voting for a particular Member. He believed that the feeling of interest would predominate over that of conscience, and he did not wish to see English yeomen placed in a situation to be exposed to a conflict between them.

Mr. *O'Connell* thought that the cases of a Government and a private individual were not similar: a Government could not go on if the people whom it employed were of a different opinion to itself: it was by its dependants that the Government ought to be supported, instead of being betrayed, as he believed was the case in Ireland. But the case of a nobleman's interference was very different; and it was evident that the House of Commons thought so, for the very first thing it did every Session was to pass an order, declaring such an interference a high infringement of its privileges. He rejoiced at the clause which had been introduced into the Bill by the noble Marquis, the member for Buckinghamshire, because he did not doubt that its effects would be as the hon. Baronet had described them. It would prepare the way for the Vote by Ballot.

Sir *Richard Vyvyan* said, that the resolutions of this House equally applied to the exercise of influence in the election of Members for this House, whether the influence was exercised by the Crown or by the Peers. And as to the Reform question, of which he would only speak in connection with this subject, he was satisfied that it would have to be altered within one year, and then, perhaps, altered again in another year. The hon. Member (Mr. O'Connell) was the advocate of Vote by Ballot; but why should that be expected by the people while their Members were not allowed the exercise of a similar right? Were there any persons who wished to have a screen themselves which they denied to the House of Commons? In both cases the right of voting was a trust, and without Universal Suffrage, the Ballot would be unjust, particularly to those persons who did not inhabit 10*l.* houses, nor hold leases of farms of 50*l.* a-year.

Mr. *Hunt* said, there was not a clause in this Reform Bill which would prevent the exercise of that influence against which the present complaint was directed. On a late occasion the Government justified its use as to persons in the public employment. It happened that when charges like the present were made by Whigs against Tories, the Tories retorted upon the Whigs, and between them he might say "tantarara," he would not add the other portion of the old stave. For himself he wished that every Englishman should have a vote; and so far he supported the clause introduced by the noble Marquis (the Marquis of Chandos) for giving the right of voting to tenants-at-will. Why, the Reform Bill itself had a tendency to extend the influence of property; and though he objected to the conduct of the Marquis of Salisbury, he was satisfied that this Bill could not prevent it.

Sir *John Brydges* expressed his surprise and regret, that the hon. member for Hertford should have presented the petition in the absence of a noble Lord, who alone was capable of answering it. No one was more jealous than he of the interference of Peers in elections, but this was not an interference with an election, but the legitimate exercise of the rights of property after the election was over. He held it to be extremely improper that the conduct of the nobleman alluded to should be described in that House as tyrannical and cruel.

Mr. Serjeant *Wilde* was not sorry that the petition had been presented. An interference of a Peer at an election was a violation of the law, and, if it were brought home to the offending party, he was liable to severe punishment. He was aware that, by management and skill, it was no difficult matter for an influential man to interfere with the privileges which the electors enjoyed, without the fact being proved; but, as he had said, the law visited a clear case of interference on the part of a Peer with heavy punishment. Such an interference was not that which property ought to possess; but, on the contrary, it was an abuse of property. A landlord had no right to dismiss a tenant because the tenant did not choose to vote as directed. This was a gross abuse of power, and ought to be visited with displeasure by the House, whenever such a case was established.

Mr. *Hudson Gurney* saw no remedy for the abuses at elections, but an improved state of the morals of the people. No legislative measure that he could guess at could prevent those abuses, unless aided by the moral sense of the public.

Petition brought up. On the question that it do lie on the Table,

Lord *Ingestrie* said, that from the observations which some hon. Gentlemen had indulged in, an impression seemed to prevail in the House, that undue influence had been exercised by his noble relative, and that the ejectment of these petitioners arose out of the last election alone. He, however, was sure, that the result of inquiry would be the disproval of the allegations of the petitioners.

Mr. *O'Connell* had never advocated the principle of a partial Ballot; he must declare, however, that undue influence had been invariably used by the Tory Administrations in Ireland, at elections, and that the present had not exercised a similar power. They had instances of late, of persons in office not only opposing but betraying the present Government.

Sir *Henry Hardinge* was not prepared to hear the fact of Officers who had served for years under preceding Governments, being threatened with dismissal for voting contrary to the wishes of the present Administration in Ireland, described in any other light than as intolerance and tyranny.

Mr. *Henry Grattan* could not but wonder at the coolness with which hon. Gentlemen ventured to justify or deny the notorious abuse of power at elections of all Tory Administrations in Ireland. He stated it as a fact, that Lord-lieutenants, with their own hands, wrote to persons within their influence, commanding them to vote against him (Mr. Henry Grattan), under pain of dismissal from office. This, he repeated, he was ready to prove, with respect to himself, and others. One fact might answer as a specimen; and that was, that the Duke of Northumberland, in his own personal capacity as Lord Lieutenant, wrote to a Mr. Lowe, telling him to vote against Colonel Grady, the popular candidate for Limerick, under pain of dismissal. This fact spoke for itself, and was only a single instance out of many. Even at the last Dublin election, undue influence was used by the Corporation against the Reform candidates, and the successful candidate (Lord Ingestrie) well knew it. Could that noble Lord deny, that the officers belonging to the coal-heavers' department, were compelled to vote for him, and that if they had not, they would have been dismissed without ceremony?

Sir *Richard Vyvyan* said, that the observations of the hon. member for Kerry amounted to this, that men who had served under a Tory Government, must, necessarily, be turned out under a Whig Ministry; he really could not agree with him on that point.

Mr. *Shaw* said, that the hon. member for Meath had made an observation, he did not exactly know whether personally to him, or to his noble friend, with respect to a certain kind of influence, with which no man could be better acquainted than the hon. Member himself. But whether the imputation was intended for himself, or for his noble friend, he had no doubt it would be equally denied and rejected with the scorn it deserved.

The petition was then read.

Mr. *Thomas Duncombe*, on moving it should be printed, took that opportunity to deny the assertion, that this petition had been unfairly got up. That assertion was advanced, because those persons who had made the affidavits had refused to place them in the hands of the Mayor of Hertford. The reason of that refusal was, that the Mayor and Corporation of that town, were tools in the hands of the Marquis of Salisbury. The Mayor had refused to swear the affidavits, without a knowledge of their contents, and they had, therefore, been sworn before another Magistrate. Now, though he was no lawyer, he knew enough of law to be aware, that no Magistrate had a right to inquire into the contents of an affidavit sworn before him. He had seen it stated in a public Journal, that the Marquis of Salisbury had complained, that attempts were making by people out of doors, to lower the House of Lords in public estimation. He put it to the House, whether such circumstances as had occurred at Hertford, were not more likely to lower the Aristocracy in public opinion than any speeches which could be made against them.

Mr. Henry Grattan was proceeding to make some remarks upon the Dublin Election, when—

Sir *Robert Bateson* rose to order, and said, that as there was a petition to be decided to-morrow upon the Dublin Election, it was irregular and prejudicial to that question for any hon. Member to make observations upon it.

The *Speaker* said, that the House had no right to touch upon the subject-matter of an election petition which was referred to a Committee.

Mr. *Henry Grattan* said, he had meant nothing he had said personally against the hon. and learned Recorder, and was at a loss to know to what he alluded. He had never, directly or indirectly, attempted to induce a man to vote for pecuniary considerations.

Mr. *Shaw* understood the hon. Member to say, that in the last election for Dublin, he and his noble friend had made use of an influence in the shape of a certain number of pounds.

Mr. *Henry Grattan* did not remember that he had charged the hon. and learned Gentleman with having used that influence himself.

Mr. *Shaw* said, that if the hon. Gentleman's words were not intended to apply personally to him, then his answer did not apply to the hon. Gentleman.

Mr. *Henry Grattan* said, they were not.

Lord *Ingestrie* said, it did not argue much for the case of the petitioners that they refused to state the cause of their complaints before the Magistrates of Hertford. He could not understand either from the petition itself, or the observations of the hon. Member who had introduced it, that any case could be made out against his noble relative. He thought it somewhat unusual for an hon. Member to charge him with being guilty of corrupt practices at his election, while a petition stood for the decision of the House as to the validity of that election. He trusted that his character would be sufficient to throw aside such an accusation. But even if it should be proved, that he had been guilty of acts unworthy a gentleman and a candidate for the honour of a seat in that House, he might still retain the hope of being made a Baronet for his services.

Petition to be printed.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — THIRD READING — ADJOURNED DEBATE.] The Order of the Day for resuming the adjourned debate upon the Reform Bill having been read, and the question put,

Colonel *Sibthorp* rose and addressed a few words to the House in a tone scarcely audible. The hon. Member stated, that indisposition prevented him from doing more than to declare, that he still entertained the most decided hostility towards the Bill, which he believed would be destructive alike of the rights of the people, the privileges of the Legislature, and the prerogatives of the Throne. He trusted that the other House of Parliament would do its duty by a manly and decided rejection of a measure that must otherwise lead to the common ruin of the country.

Mr. *Crampton* rose to give his hearty concurrence to the great measure then before the House, which, he contended, was not only a legal and constitutional, but also a just and necessary measure. He denied, that nomination boroughs were any part of the British Constitution — much more that they were necessary to the existence of the House of Commons. That House ought to be the mirror in which the popular mind was reflected—the focus in which the rays of popular intelligence were concentrated — the place in which the voice of the people was fairly and fully heard. Could it be so when so many boroughs were in the hands of Peers and other powerful personages? He maintained, that both our legal and constitutional theory placed the Government in three distinct and independent bodies. The King had his royal prerogatives—the Peers had their peculiar privileges, and were independent of the Crown and the Commons—the Commons had also their proper power, which they exercised independent of the King and the Peers. No person but a Commoner had a seat within the walls of that House, and they all sat there in their representative capacity only. The essential character of the House, according to the elements of the Common Law, and every writer on the Constitution was wholly representative, and any practice by which that principle was violated, was unconstitutional and illegal. He would not fatigue the House by quotation and references, but as the system of nomination had been advocated by several hon. Gentlemen, he would refer to one Statute to shew, that such practices were a violation of the law of the land; the Statute to which he proposed to refer was the 2nd William and Mary, sec. 1, cap. 7—it was a Statute declaratory of, and not changing, the Common Law. This Act recited, that the elections of Members to serve in Parliament, ought to be free; it also recited a pretended right claimed and exercised by the Lord Warden, to nominate Members for the cinque ports, and it declared this claim and practice to be contrary to ancient usage, and to the right and freedom of election, and contrary to the laws and Constitution of the realm, and it provided against the recurrence of such abuses, under any pretence whatsoever. If this Statute was not waste paper, then was the necessity and constitutional character of this measure of Reform doubly vindicated and asserted. The system, such as it was described by the hon. member for Thetford, was a tissue of abuses, to which the House was, he hoped, about to apply a constitutional remedy. The Legislature was about to apply that remedy which the Sovereign, in the exercise of his prerogative, might apply without any legislative enactment. He did not believe, that any danger would arise to the other branches of the State from the passing of this Bill. As to the argument that it would endanger the Church as by law established, he must say, that no one assertion was less founded in fact. The Church would be in no danger from the operation of the measure; for he contended, that the Church was not upheld by the abuses to which the Bill was intended as a remedy: but he would add, that if the Church could be upheld only by rotten boroughs, and nomination of Peers to seats in that House, and other gross abuses, that Church would and ought to fall. He did not wish to be misunderstood in what he said, and to prevent it, he repeated, that if the Church rested for support only on this—that untenanted mounds and mouldering houses should send Members to that House—if its durability could be maintained only by the duration of the system of rotten boroughs, it would, and it ought to fall. But it was a libel on the Church to say that it required such support. The Church was built on a rock, and required not the arm of the flesh to uphold it, and he repeated, that they were the libellers of the Church, who declared it in danger from the removal of political abuses. The arguments of the hon. Members who opposed the Bill, amounted to the injunction, not to purify the State because the Church would be in danger of falling; but, in answer to this, he must assert, that the only mode of preserving and supporting the Church, was to purify the State from the abuses which pervaded the institutions of the country; and he must beg to say, that he was proving himself to be as firm a supporter of the Church, in giving his vote for the Reform Bill, as any hon. Member was, who, by voting against it, wished to perpetuate those abuses. He concurred with the hon. member for Thetford, as to the beauty and harmony of our Constitution, but according to that hon. Member, we had two Constitutions: the one a Constitution which, in theory, was most admirably and wisely balanced in its several parts, and the other a working Constitution, which was a deviation from the principles of the other—which was, in fact, a constitution of corruption. Now, for the Constitution as it was intended to be by law, he had the highest veneration: he would say of it, *esto perpetua*. He would add nothing to it—he would take nothing from it; but when he said this, he spoke of the Constitution itself, and not of its abuses. He spoke of the Constitution as the law intended it to be. He would now say a word or two upon a subject which, he admitted, was of much delicacy. He alluded to what had fallen from some hon. Members opposite, and the earnest hope they had expressed, that this Bill might not pass the other House. For his own part, he should regard it as a most unfortunate event, that any difference should arise on any important matter between the two branches of the Legislature. In the speech, and a most able and eloquent one he admitted it to be, of the right hon. and learned member for Aldeburgh, it was stated, that of all the Bills which had ever originated in this House, there was none with respect to which the House of Lords was called to exercise a greater degree of vigilance, or into which they ought to make a more strict investigation; and towards the close of the right hon. Gentleman's speech, after pressing many grounds on which they were bound to reject the Bill, he added, if they did not, what was the use of a House of Lords? No man had a higher respect for the House of Peers than he had—no man set a more just value on their rights and privileges; and sincerely did he hope, that they would continue to be what they had hitherto been, and what the Constitution intended they should be—the stay and support of the two other branches of the Legislature. But without meaning in any degree to trench upon the rights or privileges of the other House, he must say, that if ever there was a bill with which the Lords should feel a delicacy of interfering —if ever there was one on which they should not even exercise a severity of criticism—it was this Bill. It should be viewed by them as a money-bill, in which they ought to make no alteration [*cheers.*] He knew the meaning of those cheers, and he would, if hon. Members would allow him, explain what it was he meant to argue. It would not be presumed, he supposed, that the House of Lords had, by the Constitution, any control over the Representation of the people, any more than the Commons had over the privileges of the Lords. Each branch of the Legislature had its distinct and separate rights, which it exercised without the control of the other. In any question affecting the rights of Peers, the Peers alone had the power to interfere. In any question affecting Representation in the Commons, the Commons had the right to interfere, without any control by the other House. He knew there were difficulties created as to Representation, by the annexation of Wales to England, and by the Union with Scotland and Ireland; but he maintained, that by the Common-law and the usage of Parliament, the King and the House of Commons only, without any interference by the other House, had the right to make regulations respecting the Representation in that House. Let him, however, not be understood as denying that the Lords had the constitutional right to reject this Bill. He admitted they had, and he did not mean to fetter the exercise of that right. What he should contend for was, that if in the exercise of that right they should reject the Bill, one of its main objects might still be obtained without their concurrence. If he should show that he was right in this, most important consequences would flow from it. He contended, that the disfranchisement of all the boroughs in schedule A (with perhaps some exceptions to which he should presently allude) might be effected without legislation. If he was right in this, and he stated it as a lawyer, not expecting to hear it controverted by any legal authority, it would be a reason why the Lords should act with more delicacy with respect to this Bill. He maintained, that the House of Commons might address the Crown to dissolve Parliament, and not to issue writs to the decayed boroughs, to green mounds and mouldering walls, but, in lieu of them, to issue writs to those large and populous and wealthy towns which were at present unrepresented, forbearing to call Representatives from nomination boroughs and close Corporations. —[Mr. *C. W. Wynn:* And London is one of them.] Yes; but London is not included in schedule A, to which this Address would have reference. And, let him ask, what was there to prevent this Address from being acquiesced in? Was there, he would ask, any thing unconstitutional in this? Was there in this exercise of the prerogative of the Crown any thing which the other House of Parliament could control? Was there any thing in the law or the constitution of the country to prevent it? He had said, that there might be some exceptions in the boroughs in schedule A. He meant those boroughs which sent Members to Parliament by virtue of local acts of the Legislature, and with these the Crown had no right to interfere. The principle he had laid down, he would further observe, extended only to the Representation of England, for the Representation of Scotland and Ireland was fixed by the Acts of Union with those countries, and could not be altered but by the same authority—that of an Act, in which the three branches of the Legislature should concur. But with respect to the decayed boroughs in England not sending Representatives by virtue of any local statute, he maintained that the Crown, on an address of that House, had the power to issue or withhold writs, and that, in this respect, the concurrence of the House of Lords was not necessary. He called on hon. and learned Members opposite to set him right if he were wrong on this point. But if they did, it must not be by declamation and panegyric, but by law and the Constitution. It was made a serious charge against the Bill, that it deprived places not guilty of corrupt practices of their elective franchise. To this objection he thought that the conduct of his constituents would serve as a sufficient answer. He owed his seat in that House to the favour of a distinguished nobleman. It was not obtained by any unworthy traffic, or by any compromise of his opinion—his seat was neither bought nor sold. His constituents were freemen, and numerous, and he was anxious that they should, if possible, retain their franchise. But how did they act? They expressed their willingness, if the maintenance of their franchise would throw any obstruction in the way of the great measure of Reform, to throw that franchise to the winds. He had stated that he stood in that House by favour of a distinguished nobleman; but in making that admission, he wished to be understood as exempting the borough which he represented from being a nomination borough, in any sense of the expression. The influence enjoyed in that borough by the noble Lord to whom he had alluded, was a pure and honourable influence, and reflected equal honour on him who exercised it, and on those towards whom it was exercised. It was the influence of a benevolent landlord, and the homage which he received was the homage paid by gratitude to his superior virtues and elevated situation. He heard the right hon. member for Tamworth ask whether this borough should be in schedule A?—[Sir *Robert Peel:* I asked whether the Crown should withhold the Writ from this borough.] He thought that the Crown should not withhold the Writ. It was his opinion that the Crown should not withhold the Writ from any borough which was free and independent in character, which contained large manufactories and a numerous population. The Crown should only withhold the writs from decayed places, from rotten and nomination boroughs. His opinion on this subject might be wrong, and if his error could be proved, he should be most happy to yield to conviction; but no cheers, however loud, no declamation, however fine, no acting, however good, no gesticulation, however comical, should ever induce him to give up his opinion, which he believed to be in accordance with the principles of the Constitution.

Mr. *C. W. Wynn* said, that he could not, previous to the speech of the hon. and learned Solicitor for Ireland, have thought it possible, that during the Debate on the important Bill which was now in its last stage before the House, and which proposed a greater alteration in the constitution of the country than history had ever recorded, collateral matter would be introduced of still more urgent importance, which called still more forcibly for the attention of the House, and which struck, if not a more certain, at least a more immediate and direct blow at every institution of the country. He should be too rash if he said, that no proposition of similar extent to the one just made, had ever before been brought forward, for he thought that the proceeding of the House of Commons, in voting the House of Lords useless, was, perhaps, tantamount to the proposition which his hon. and learned friend, the Solicitor General for Ireland, had submitted to the House as one of the law advisers of the Crown. He thought, that before they proceeded further, they had a right to know, whether his Majesty's Ministers concurred in the proposition of the hon. and learned Solicitor? If the Ministers meant to maintain that proposition, then he said, that that House was bound, important as the Bill under discussion was, immediately to adjourn the consideration of all other matters, and proceed without delay to determine whether the Crown did or did not possess the power which had been claimed for it by the hon. and learned Solicitor General. The question was, whether the Crown possessed the prerogative of withholding the Writs from any boroughs at its pleasure. His hon. and learned friend had asked, whether he meant to deny, that the House of Commons might vote an Address to the Crown to suspend the issuing of Writs for certain places? He meant to deny no such thing. The House of Commons might go beyond all its legitimate functions; it might present an Address calling on the Crown to do that which the Crown had no right to do. But, supposing that the Crown had the right to do what the House of Commons called for, the hon. and learned Solicitor General ought to know, that the Crown could exercise that right, whether addressed or not addressed by that House upon the matter. The Address of the House of Commons could confer no right or privilege on the Crown which it did not before possess. That House might advise the Crown how to exercise the prerogatives which it possessed, but the House could neither extend nor diminish the prerogatives of the Crown. Hitherto the three branches of the Legislature had held privileges and prerogatives independent of each other. No one of them, nor two of them, could dispossess the other of its rights and privileges. But if what had been stated by the hon. and learned Solicitor for Ireland was correct, the Crown might dissolve Parliament to-morrow, and suspend issuing the Writs to different places. But was the Crown to take the hon. and learned Member's view of the case, especially as to the causes which should induce it to suspend the issuing of the Writs? The Crown might say, that it would not issue Writs to such and such places, because they returned inadequate Members, or for any other cause which it thought sufficient. He had no doubt in saying, that if any bad adviser should advise the Crown to suspend any Writ, the proceeding would be as perfectly void and illegal, as if the Crown should direct a Writ to a Sheriff, commanding him to execute any individual, without having been proved guilty of any crime. If Parliament were dissolved, and the Crown determined not to issue a Writ to any particular place, a new form of Writ to the Sheriff must be devised; and the Crown must command him, not as usual to summon Members for all the boroughs in his county, but for all the boroughs, with the exception of such and such a one—Milborne Port for instance. If the proposition were good, as applied to the boroughs in schedule A, it must be good for all the boroughs in the kingdom. Now, he asked the hon. and learned member for Milborne Port (Mr. Crampton) whether, if that borough, disputing the legality of such restriction, were to re-elect him as its Representative, he would not have the courage to come to that House and demand admission as the Representative of that borough? He repeated, that it was absolutely necessary that they should know how they stood—that they should be informed whether the King's advisers adopted the proposition of the Solicitor General for Ireland. He must say, that he did feel rather the more alarmed on this point, because he remembered that something not very dissimilar had also fallen from a law officer of the Crown for England.* He was, at that time, sitting on the Ministerial bench, holding an office under the Crown; and he had felt it to be his bounden duty—his paramount duty—to that House, and to the people of England, to protest against such a doctrine, and to state, that a perfectly contrary doctrine had been maintained by the first lawyers, and the greatest patriots which this country had ever produced — by Coke, by Selden, and by Hampden, who, in the reign of James 1st, supported a Resolution in the House of Commons, that those boroughs from which Writs had been withheld by the Crown, had a right to return Representatives. That Resolution was adopted by the House on the Report of one of the most able and learned Committees that could be selected. He did not think, that if it had been possible to collect together the most eminent men of all ages, a Committee would have been formed equal in the knowledge of the laws of England, and of the Constitution, to that Committee which made the Report on which the House of Commons maintained the privileges of these boroughs which it was proposed by this Act to disfranchise. The hon. and learned Solicitor had likewise said, that the House of Lords ought not to criticise—ought not to be too scrupulous in accepting a Bill of this kind—

Sir *Charles Wetherell* rose to order. He said, that the privileges of Parliament had been attacked by one of the King's law officers, and he should take the liberty of moving, that the Debate be suspended, until it was ascertained what the privileges of that House were, unless his Majesty's Ministers thought fit to disavow the illegal, unconstitutional, and monstrous doctrine put forth by the hon. and learned Solicitor General for Ireland.

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* See Attorney General's Speech, Parl. Deb. Third Series, vol. iii, p. 1200.

The Speaker rose and called upon Mr. C. W. Wynn to proceed.

Mr. *C. W. Wynn* was quite willing to make way for any motion on the subject.

Sir *Charles Wetherell* then said, that he would move for the suspension of the Debate on the Reform Bill. His reason for making this Motion was, that one of the King's law officers had asserted, in that House, that the House of Lords had no right to venture to criticise the Reform Bill; and that the operation of disfranchising all the boroughs in schedule A might be performed by the Crown, upon the Address of the House of Commons. If the Crown possessed the power to disfranchise these boroughs by its own authority, then any legislation on the subject was wholly unnecessary and superfluous; but he took the liberty of saying, that the hon. and learned Solicitor's assertion was inconsistent with the privileges of that House, and a monstrous perversion of the principles of the Constitution.

Mr. *Campbell* rose to order. He thought, that if the words of the hon. and learned Solicitor General for Ireland were to be adverted to, they ought to be taken down.

The *Speaker* said, that the hon. and learned Gentleman (Sir Charles Wetherell) was perfectly in order, for he only noticed the words used by a preceding speaker in order to show the reason for his moving the suspension of the Debate.

Sir *Charles Wetherell* continued. The hon. and learned Solicitor for Ireland had claimed for the Crown the right to suspend the issuing of Writs to all places enumerated in schedule A; but he maintained, that such an assumption of authority in favour of the Crown, was inconsistent and incompatible with the known and undeniable rights of the House of Commons. It appeared to him, that the House had only the choice of two modes of proceeding—either to suspend its proceedings altogether on this superfluous and unnecessary act of legislation (for superfluous and unnecessary would have been the labours of the Committee for some time past, if the hon. and learned Solicitor for Ireland was correct in his doctrine)—or to vindicate itself from the intolerable insult and insufferable disgrace of the arrogant and untenable attack of the learned Solicitor for Ireland, arrogantly and untenably supported, if supported it should be, by a no less illegal, arrogant, and unconstitutional Administration. The Ministers were involved in the statement of the learned Solicitor; but if they should get up and disavow his doctrine, as being illegal and unconstitutional, then he was content to go on with the Debate. The Ministers were bound to state their opinion on this subject. They must either maintain or throw overboard the King's Solicitor for Ireland. Let the House know whether the noble Lord, the Chancellor of the Exchequer, whether the King's Attorney General and Solicitor General for England, presumed to maintain the proposition of the hon. and learned member for Milborne Port? If they dared to maintain it, he would then move, that the words of the hon. Member be taken down, and that the further progress of the Bill be adjourned until this matter was settled. The hon. and learned Member concluded by moving, as an Amendment, that the Debate be adjourned till to-morrow.

The Speaker having put the Amendment from the Chair,

Mr. *Crampton* rose to offer a few words in explanation. He complained that the hon. and learned Member who had just sat down had misrepresented every syllable which he had uttered [*cries of* "*No, no*"]. He did not say, that the hon. and learned Member had done so designedly. The hon. and learned Gentleman must have mistaken what he had said, but he must persevere in stating, that every word which he had said had been misrepresented. In the first place, he never said that the House of Lords had no right to criticise the Bill. He never meant to submit so monstrous a proposition to Parliament; what he said was, that the House of Lords ought to criticise it with great caution and delicacy; but there was no doubt that it possessed the power to reject the Bill. In the next place, the hon. and learned Member had represented him as having said, that the Crown had the right to suspend the issuing of Writs without the concurrence of the House of Commons. What he did say, or meant to have said, was, that the Crown, on the Address of the House of Commons, had the right at common-law to issue Writs in the manner he had stated. He excepted from this proposition Scotland and Ireland, and some places in England, which had been the subject of particular Acts of Parliament. The suspension of Writs by the Crown could hardly be considered as an invasion of the privileges of the House of Commons, if it were done at the suggestion and on the representations of that House. If the Sheriff presumed to return Members for any place which the House of Commons and the Crown together, had agreed should not exercise the elective franchise, it would then become the duty of the House, following up its own Address, to reject those Members. That was the proposition which he had made. He had never stated that the Crown possessed the power to suspend the Writs of itself, but only upon the recommendation of the House of Commons. The matter had been taken up with so much warmth, that one would suppose that he had seriously advised the Crown and the House to act upon the power of which he thought them possessed. Such was not the fact; he had merely mentioned the matter purely as a speculative case; and he admitted, that the argument was fitter to be addressed to the Lords than to that House. What he had stated, was entirely his own private opinion, and he had had no communication with any Member of that House on the subject. He could not but consider the interference of the hon. and learned Gentleman (Sir Charles Wetherell) most unkind. The hon. and learned Gentleman possessed great power of language; he was a giant in that House, and was able to annihilate, by his argument, such pigmies as he was. He therefore felt his interference on the present occasion as most unkind and ungenerous. The statement which he had made might be caught hold of by the opponents of the Bill, as a means of obstructing its progress; and he might be made a 'scape-goat of by the hon. and learned Gentleman, but he had said nothing, of the correctness of which he did not feel convinced. He was perfectly willing to be responsible for all he had said or done. The hon. and learned Gentleman might endeavour to extinguish him as a private individual, but he felt supported in the consciousness of the honest and upright discharge of his duty.

Sir *Charles Wetherell* said, that the hon. and learned Solicitor for Ireland having accused him of mis-statements, he was ready to abide by the decision of any hon. Member present, as to whether he had, or had not, correctly described the hon. and learned Solicitor's proposition. The hon. and learned Member said, in plain terms, that if the House of Lords should reject the Bill, Ministers had nothing to do but dissolve Parliament, and then the Crown might withhold the issuing of Writs for all the boroughs in schedule A.

Lord *Althorp* said, to the best of his recollection, his hon. and learned friend had stated, as nearly as could be, in his explanation, the sense of what he had at first advanced. The hon. and learned Gentleman opposite assumed, that because his hon. and learned friend was connected with his Majesty's Government—because he was a law officer of the Crown, therefore any opinions which he might have expressed were to be taken as the sentiments of his Majesty's Government. He could not agree in that opinion, and he might, perhaps, be permitted to add, that it was not only an unusual course, but almost directly at variance with the usages of that House, to stop the progress of a Debate, for the purpose of calling upon his Majesty's Ministers to give an explanation of any point upon which any hon. Member might conceive certain opinions to have been propounded. He protested against such a course, as being unusual, and, he might say, unprecedented. How could his Majesty's Ministers be expected to pronounce upon the strict legality of a doctrine which they were not allowed an opportunity of considering? He really did not think the subject required to be treated with that solemnity which the hon. and learned Gentleman seemed disposed to bestow upon it. His hon. and learned friend had stated to the House an opinion of his own, which he was convinced his hon. and learned friend sincerely entertained, but his hon. and learned friend had not had (as he correctly stated) any communication with him, or, he believed, with any of his colleagues. At least, he could say, that he himself had certainly received no intimation from his hon. and learned friend upon the point. But, if the question were put to him, as to his opinion upon this as a constitutional point, he should undoubtedly say, that he should not, for his own part, be induced to adopt or assent to the doctrine which his hon. and learned friend was understood to have propounded; nor did he think such a course strictly in unison with the practice of the Constitution. But, as he had already said, it was ridiculous to call upon his Majesty's Government, in this abrupt and unexpected manner, to pledge themselves upon a legal or constitutional question.

Sir *Robert Peel* said, it now appeared, that the opinion of the hon. and learned Gentleman, the Solicitor General for Ireland, was not in unison with that of the noble Lord who held the principal place in his Majesty's Government in that House, but that, on the contrary, the noble Lord considered the doctrine to which his hon. and learned friend had referred an unconstitutional doctrine. Whether it was strictly legal the noble Lord did not take upon him to say. But, when the first Minister of the Crown in that House declared, that the maxims advanced could not be defended as constitutional, he conceived that the object of his hon. and learned friend was answered, and that he might very well, with the permission of the House, withdraw his Motion. The hon. and learned Gentleman complained of the unkindness of his hon. and learned friend. Why, undoubtedly, all motions referring to the opinions of individuals, might have an air of unkindness; but could the hon. and learned Gentleman suppose, that any thing but a paramount sense of duty had induced his hon. and learned friend to bring the matter forward? He admitted, that, generally speaking, it was not usual to make the members of a Government responsible for the opinions of their subordinates. But this was a question of prerogative, and one upon which the Ministers themselves would be the legitimate advisers of the Crown. When he heard the hon. and learned Gentleman, in the second version of his opinion, declare, that the Crown had the power, in concurrence with the House of Commons, to suspend the Writ for any place it pleased, he could not help saying, that if such were constitutional doctrine, they held every right and every privilege, however important, at mere sufferance. But let the House not proceed further in an interruption of the great question before it. He thought his hon. and learned friend had done what was perfectly just and proper, in eliciting the declaration which had been made by the noble Lord, and, that declaration having been made, the necessity of his hon. and learned friend's Motion, and of any further discussion upon it, were prevented.

Mr. *Hudson Gurney* thought the hon. and learned Gentleman (Sir Charles Wetherell) justified in the course he had taken; for, from the time of Richard 2nd, there had been no instance of a place which had returned Members to Parliament being permanently disfranchised by the Crown. On the contrary, he was able to quote an old Statute, which contained words expressly contrary to the doctrine of the learned Solicitor General. In the Act 5th Richard 2nd, cap. 4, are these words—"These the King doth will and command, and it is asserted in the Parliament, by the Prelates, Lords, and Commons, that all and any persons and commonalties which shall from henceforth have the summons of the Parliament, shall come from henceforth to the Parliament, in the manner as they are bound to do, and have been accustomed within the realm of England of old times;" and then it goes on to enact—"And if any Sheriff of the realm, be, from henceforth, negligent in making his returns of Writs of the Parliament, or that he leave out of the said returns any cities or boroughs which were bound, and of old time were wont to come to the Parliament, he shall be amerced, or otherwise punished, in the manner as was accustomed to be done in the said case, in times past." How the hon. and learned Solicitor General could reconcile the language of this Statute with the doctrine he had laid down, he must himself explain if he could, but certainly, to every other person, they must appear directly at variance.

Sir Charles Wetherell, by the permission of the House, withdrew his motion.

Mr. *C. W. Wynn* resumed his speech. He said, he was perfectly satisfied with the declaration of the noble Lord—a declaration which he had anticipated from the noble Lord's knowledge of the Constitution, and from his constitutional principles. But, had the noble Lord not made that declaration, he (Mr. Wynn) should have felt, that the House of Commons had no security, from hour to hour, against the effects of such a doctrine. He would now dismiss the topic, which had caused an interruption of the Debate, and proceed to consider some other points of the hon. and learned Gentleman's speech. The hon. and learned Gentleman had said, that the House of Lords ought not to make any alteration in the Bill, because it regarded the constitution of the House of Commons. If it really was an encroachment on the privileges of the House of Commons for the House of Lords to make any alteration in a Bill respecting the constitution of the House of Commons, the House of Commons had been singularly negligent of its privileges; for they had patiently seen the House of Lords, over and over again, enter into the discussion of bills which had been sent up to them by the House of Commons, disfranchising boroughs on the ground of corruption. And when, on entering into the consideration of such bills, the House of Lords had sent to the House of Commons for a copy of the evidence on which such a bill had been passed, the answer, if the hon. and learned Gentleman was in the right, ought to have been—"it is no business of yours: you ought to depend upon our judgment." The hon. and learned Gentleman said, that the House of Commons did not interfere with bills affecting the rights of the Peerage. Did the hon. and learned Gentleman recollect the bill introduced into the House of Lords, with the sanction of the Crown, in the beginning of the last century, limiting the prerogative of the Crown to create Peers? On that occasion, the House of Commons proved itself to be the guardian of the ancient Constitution of the country, and the undoubted prerogatives of the Crown, and threw out the bill which the Lords had sent down to them; and from that period to the present, there was no constitutional authority which did not hold, that, by so doing, they had prevented the Constitution of the country from degenerating into an oligarchy. On these grounds, he thought that the House of Lords had an absolute right, and that it was their duty, to examine this Bill, and either to approve, reject, or alter it, as might to them seem wise. In order, in times of exigence, to be enabled to resist popular clamour, the House of Lords ought to be a body wholly independent of the voice of the Commons of England. The Commons of England had their full share in the legislation of the country. For the last hundred years, their influence in the legislature had gone on increasing. With that they ought to be satisfied; and not, by an interference with the rights of the other branches of the Legislature, to set an example which might, at some future period, be applied against themselves by the people. The English Constitution—that highest effort of human intellect—had always admitted the existence of what were called close boroughs. That Constitution was to be found, not in Statutes alone, but in practice. And if any man would point out a period in which boroughs, over which influence was exercised, did not exist, he would then allow that the Constitution was altered. The number of those boroughs was, however, greatly diminished. Every man could point out, from his own knowledge, many instances of their extinction, during the last fifty years — boroughs which, having once been close, were now open. The hon. and learned Gentleman said, that any one who interfered with elections, by way of nomination, was an offender, and liable to be proceeded against by indictment. Improper interference he deprecated as much as the hon. and learned Gentleman, but he thought that individuals ought not to be held up to obloquy who only exercised the natural influence of property. But could the influence fairly arising from property be considered a usurpation of power or an offence? This he did not understand to be the opinion of Ministers, for they were willing that the natural influence of property should remain unimpaired. The question then occurred, was this influence unfairly exercised with respect to places in schedule A? He thought this question was not treated as it ought to be. The hon. and learned Gent. said, that it was not unfairly exercised at Milborne Port; but were there not many Milborne Ports in Schedule A? It was in many of them merely the influence of the benevolent landlord. That sort of influence his noble friend professed that he was very desirous of supporting and of extending as much as possible; and to promote it was one of the objects of the Reform Bill. Let him ask, however, whether the object was likely to be attained by the course that had been pursued? A great deal of violent language had been used respecting those boroughs, in which influence had been exercised, and they had been designated as rotten boroughs, as boroughs that stink, with a great many more characteristics, taken from the same scurrilous dictionary. The franchise in many of these places was in the hands of persons of the utmost respectability and intelligence, and who, he was very sure, were as capable of judging of most of the questions that arise, as any persons in the country. Corruption was asserted with respect to these places, and the mere assertion was taken as a fact. Night after night, imputations were thrown out of this nature, which, when inquired into, turned out to be utterly groundless. By such means as these, a clamour had been raised, and the minds of the people had been excited. Another assertion of the same character was, that the want of Reform kept the bulk of the people in a state of ignorance. In Preston the right of voting was scot-and-lot. Were the people there more intelligent than in places where the right was not so general? An argument for increasing the constituency was, that it would be a defence against bribery. The instances of Dublin, of Hull, and of Liverpool, where, as appeared by the evidence before a Committee up-stairs, 1,600 or 1,700 persons actually received a sum of money for their votes, he might also mention Westminster, which, a few years ago, was notoriously corrupt, did not prove that a numerous constituency prevented bribery. The 10*l.* voters would be as liable to corruption as the present electors, and much more so in large towns, for it was to such towns the worst characters flocked, who by this Bill would be entitled to vote by paying 3*s.* or 4*s.* a-week rent. He could not concur in the establishment of such wholesale magazines of corruption. The scot-and-lot boroughs were the most corrupt of all others, and this measure would not render more pure the places on which a sort of scot-and-lot franchise was conferred. In Wallingford there were 276 scot-and-lot voters; and there the miller, of whom they heard so much, regularly paid 20*l.* for plumpers, and 10*l.* for single votes. There would remain of these voters after this Bill, 216. Would the infusion of eighty new electors cure the corruption of the rest? He thought not, and was satisfied that corruption never would be cured till that House had carried the existing laws into execution; but when any case of corruption was brought forward, it was met by the observation, that it was hypocritical to select one instance for punishment when the practice was so general. He had repeatedly been in the minority when motions had been made to direct prosecutions in cases of bribery. He had voted for the second reading of the Bill, and for its being committed, that it might be fairly considered, and so improved and amended as to render it a proper and beneficial measure. But now he found it impossible to vote for the third reading. It had not been sufficiently improved or amended in the Committee; it still was calculated to effect too great a change, and he therefore felt bound to oppose it. It had been objected to the advocates of moderate Reform, that they had not yet propounded their measure; but in reply to this observation, he begged to remark, that it was impossible two measures of Reform could be advantageously discussed at the same time. If a plan of moderate Reform had been brought forward, by which Representatives were to be given to the large towns, he would have most ardently supported the measure; and he firmly believed it would have encountered but little opposition. He would not, indeed, have consented to the disfranchisement clauses of the Bill, because he considered, that the existence of all the small boroughs was beneficial to the Constitution. He had no objection, however, that some of them should be united, thereby to make room for giving Representatives to the large towns. He was willing that the larger counties should be divided, the duration of the poll limited, and the expense of elections reduced. He objected, however, to the disfranchisement, to the extent of the franchise granted by this Bill, for it went to create what, in point of fact, would be only scot-and-lot voters in all the large towns. In Westminster there were, for instance, about 19,200 voters, of whom 17,600 were 10*l.* householders. He would not place the franchise so low as 10*l.*, but should not object to 20*l.* They were told, a higher franchise than 10*l.* would not satisfy the country. Were it not for the cry which Members themselves had been the means of raising, the people would have been content with much less than this Bill gave. He did not approve of giving Representatives to the districts round the metropolis —such as Marylebone, which was already sufficiently represented, as the Members who resided there would be ready to attend to its interests. When his hon. and learned friend (Mr. Crampton) said, that the Members for boroughs in schedule A only represented those who sent them there, did his hon. and learned friend, who represented one of these boroughs, look upon himself in that light?—did he not think himself bound to consult the general interests of the country? Did his noble friend, the Paymaster of the Forces, now, when he represented Devonshire, or before, when he represented Huntingdonshire, consider himself more a Representative of the people, more bound to consult their interests, than when he was member for Tavistock? Many men of the first talents, after representing large places, came in for small ones, and still continued to act on the same independent principles. How were such men as Mr. Burke or Mr. Huskisson to get into the House of Commons under this Bill? Men of commanding talents might, sooner or later, obtain a seat; but was there no advantage in forming the habits of men to public business by early admission into that House. It was, in his opinion, extremely useful that there should be men in Parliament who had been, as it were, bred up in the House; but he feared much, that when this Bill passed, such persons would not be able to find their way into it. He agreed with the hon. Gentleman opposite, who spoke last night, that this law would be the parent of many other laws—whether those laws were good or bad. Adverting to the objection made by the right hon. Gentleman (Mr. Stanley) to the right of his right hon. friend (Mr. Croker), to reserve his observations upon certain details to the present stage of the Bill, he declared, that every man enjoyed this right; because, of this measure, the details were its very substance. These details, he contended, required change—they were inconsistent with each other—they proceeded—if upon any principles—upon different principles, and must effectually prevent the beneficial operation of the Bill. It was impossible the Bill could work satisfactorily as it now stood. Numerous alterations must be made to cure all the anomalies it contained. The nine boroughs, for instance, which, by the recent census, contained above 2,000 inhabitants, would not easily submit to be disfranchised while other boroughs, with a less population, were preserved. The new boroughs, with a population between 4,000 and 10,000, would not be content to return only one Member while smaller places returned two. These were not the only anomalies in the Bill. Suppose a man had a 10*l.* freehold at Malmesbury, there he would have a vote only for one Member. Let him sell his freehold, remove, purchase another a few miles distant, but continue to occupy, as tenant, his house in Malmesbury, and he would thus acquire two votes for Cricklade, and two more for the county of Wilts, while he would still retain his vote for Malmesbury. Again, the rich householder in Cricklade would have only his votes for the borough, while his neighbour, the cobbler, who had a 40*s.* freehold for the county in his stall, would have the right of voting for two Members for the county, and for Members for the town. He could not avoid also adverting to the anomaly of the borough of Wilton, with 1,967 inhabitants, retaining the franchise, while Downton, which contained four or five and twenty hundred was disfranchised. He pointed out these cases as specimens of the inconsistencies of the Bill. He should not detain the House further, but should always be ready to consider and promote any measure of moderate Reform.

Mr. *Robert Grant* observed, that if all the hon. Members who had spoken upon the measure had thought proper to couch their opposition to it in terms as moderate as his right hon. friend who had just sat down, he should not have felt it necessary to trouble the House upon the present occasion; but as many hon. Gentlemen had designated the Bill as essentially revolutionary, and this not in the warmth of debate, but in the most deliberate manner, he was anxious to protest against this assertion, and briefly to state the reasons which led him to an opposite conclusion. In doing this, it was not his intention to enter into details; he would content himself with simply considering if the Bill would work well; and herein two things should be taken into account; first, the machinery; and secondly, what was the nature of the medium in which the measure was to operate—in other words, what were the feelings and sentiments of the great body of the people amongst whom this measure was to act. Now he relied on this —without saying that the machinery was as perfect as the imagination and ingenuity of some hon. Gentlemen might have suggested, he yet entertained the warmest anticipation that the Bill would work well, and prove a practical blessing to the people, who had received it so warmly, and supported it with such fidelity. It was on the feeling of the people he rested his hope. If the plan of moderate Reform, which had been so often alluded to from the other side of the House, were brought forward, he would admit, for the sake of argument, that the machinery would be more perfect. But yet it would be vain to expect from it the same benefits as from the measure before the House, because it never would receive the same favour, nor so carry with it the hearts and affections of the people. The Bill of the hon. Gentlemen opposite would be like an army in a hostile country, but this Bill would be like an army which had entered a country for the purpose of expelling a band of invaders in conjunction with the inhabitants. The one would have on all sides to encounter hatred and opposition, while the other would every where find entrenchments and allies—and information to guide, and a ready hand to assist. When such was the popular feeling, it appeared to him that such a feeling would tend, in a great measure, to heal and obliterate many of those defects which Gentlemen had found out, or supposed they had found out, in this Bill. The right hon. Gentleman who spoke last, stated that the Bill exceeded not only his expectations, but those of the people; and that it exceeded also what was once intended by a noble friend of ours, not now in this House. What would be his noble friend's answer to that statement he knew not; but he knew that he presented a rare example of a man in office, more than fulfilling the promises that he made when in opposition. The right hon. member for Aldeburgh (Mr. Croker) had, in his very eloquent and ingenious speech, last night, made use of one argument which surprised him very much, as coming from a Gentleman possessing a mind so acute. The right hon. Gentleman had brought forward a sort of dilemma, to the effect, that either Reform must be admitted not to be necessary and the Bill thrown out, or else, if the House of Commons passed this Bill, the very fact of their doing so proved that Reform was not necessary. Now this was a pure sophism. As well might the right hon. Gentleman, in reference to personal reform, say, that the simple resolution to reform was sufficient, and there was no need of his taking any further steps. And yet, notwithstanding this argument of the right hon. Gentleman, in another part of his speech he contended, that they had been driven to support this measure by the momentum of the public voice, and in obedience to the pledges they had given to their constituents, which some would represent as a disgrace to them, but which he regarded as an honour. But again, it should be remembered that the House of Commons, as constituted at present, was not to be compared to the House of Commons under ordinary circumstances. This House had been elected under a particular stimulus, in obedience to the Royal appeal made to the body of the people. Observe the different conduct pursued by this House of Commons and the last. See the deference shown by the last House of Commons to the declared voice of the people: not contented with the ordinary fortifications of rotten boroughs, they took refuge behind the timber duties, with the hope of defeating Reform. They opposed a reforming Ministry on this point, hoping thus to defeat Reform. They knew the people had two darling objects, Reform and Retrenchment, and yet a great majority combined to defeat the second object, for the purpose of supplanting the first. He would now apply himself to the epithet of "revolutionary," so frequently applied to the Bill by hon. Gentlemen opposite. He differed from those hon. Members who fulminated forth such charges against the measure. It was neither, in their sense of the word, innovation nor revolution, but it was really a restorative and conservative measure. He asked if it were possible to point out a period at which there was a more intelligent and independent House of Commons than the present? But even this was not the only thing to be considered. The question really to be weighed was, whether there ever was a period at which the constituency were so enlightened and intelligent? It might be true that that House was more intelligent than any House of Commons had been at any former period; but it might also be true that the people had improved in a still greater ratio; and if they had, then it followed, that though the House of Commons had improved relatively to former Houses in a great measure, yet that it had fallen back positively with regard to the people. Now, he believed that this was the fact, and that the change in the people had been so great that that House had not kept pace with them. They had been asked to show the time when there had not been nomination boroughs; but the circumstances under which they existed had materially changed. In former times, he admitted, that there had been nomination boroughs; but in those times they were the best defence of the liberty of the people, for they were close Corporations, in which commerce was fostered, and by which the power of feudal oppression was at first resisted and afterwards overcome. These close Corporations were under the nomination of those popular Barons who, in the other House, were fighting the battle of the people against the oppressive tyranny and exactions of the Crown. If, under these circumstances, he was called on to state what he thought a good House of Commons, he should say, that that was so which fairly represented the popular voice at any given time at which it was elected. The House of Commons which fully answered such a purpose at one period, might be fatally defective at another; and if it was so, it ceased to be what it pretended—the real representative of the people. It was by the application of that principle that he was enabled to account for the prostration of the strength of the Commons in the time of the reign of the Tudors. The great aristocratic interest had either been directly weakened or destroyed by the civil wars—had been indirectly weakened also by the growth of commerce, the spread of manufactures and general knowledge, with the abolition of villeinage and the prevalence, as lawyers would say, of uses. The aristocracy were also materially affected by the great statute of Henry 6th for raising the franchise of the electors of counties, by requiring that they should not only be freeholders, but freeholders to the amount of 40*s*. a-year. He suspected, that the object of that statute was a direct blow at the aristocracy, but certainly such was its effect. For, when afterwards the contest again revived, it was not carried on by the county Members, but by the citizens and burgesses, to control whom, Elizabeth increased the number of close boroughs originally introduced by Edward 6th for religious purposes. He admitted that, from the reign of Elizabeth to the present moment, there had been no material change in the frame-work and constitution of the House of Commons; and he admitted also the truth of the argument urged by the other side of the House, that, although our Constitution had not changed, yet the growth of intelligence in the people had made the House more popular; a result occasioned, also, because the close system of Elizabeth had not operated so badly as it would otherwise have done from the decrease in the value of money. When the landed proprietors were destroyed, and when, from the same cause, the trade of the country was almost destroyed, there was no class of men able to resist the strength of the Royal prerogative. The consequence, then, was, that the House of Commons exhibited no feeling of independence, but Parliament was ruled by the absolute power of the Prince. That state of things was altered as soon as the continuance of internal peace had afforded the means of national improvement. He would now observe upon what had been last night stated by a right hon. Gentleman, who had asserted that there was no one that would say that any close boroughs had been created since the time of King William 3rd, and yet that was the period at which all agreed the liberties of the people had been fixed. That argument had been pressed by his hon. friend, the member for Oxfordshire; and it was strongly urged, that as the frame-work of the House of Commons had been then fixed, it ought not now to be altered. He answered, that the body to be represented had changed so much, that the continuance of the frame-work of the House of Commons in the same state as before was an evil; for the people having changed, the frame-work of the House ought in the same manner to have been changed. As a proof that the state of the people had changed, he might refer to the great towns, in which alone the alteration had been most considerable; for he believed he might safely assert, that one-third of the whole wealth and intelligence of the country—one-third of its resources, had grown up since the time of the Revolution. The effect of that change was felt all over the world—in the Levant, on the shores of the Atlantic and the Pacific, on the banks of the Yellow Sea, and yet there was to be one place where the effect was not to be felt, and that place was to be the House of Commons, which pretended to be composed of the Representatives of the people. The men who were alone to be unaffected by this change were those who could take refuge in the fortress of the House of Commons, and not one single wave of the sea of changes that time had produced was to wash down any part of its ancient walls. It was said by those who were opposed to the present measure, that the whole resources of the country, those which had sprung up since the Revolution, were so vast, that they could not open the door of the House of Commons to admit the operation of their influence without being in danger of destroying the frame-work of the Constitution itself. Such at least was the substance of that argument; but that argument subverted itself, as he should be able presently to show. It was also said, that such was the force that had now arisen, moral and intellectual, that if it was not kept down, or, in other words, kept out of that House, it would come and destroy that House itself. The result of that argument was, that no great, no moral and intellectual force, could exist in the country with safety to that House; for if it could not be safely permitted to enter that House, it surely could not safely be permitted to exist out of the House. He asserted, that whatever might be the danger of admitting it into that House, the danger would be tenfold greater to refuse it admission. The only safe ground of refusal would be, that it was so paltry, so insignificant, it had no right to claim admittance there. But was there any one that would venture to assert it was so insignificant? On the contrary, was not the opposite argument, of its too great strength and importance, relied on as the ground of the refusal? He admitted its strength and importance, and he declared it as his opinion, that Parliament would not long be able to shut out from that House so great a proportion of the intelligence and wealth of the people. If that argument were just, he repeated, that the plan of safety was that of the Government, not that of the Opposition. It was a true proposition, and he stated it broadly, and without the guards that would limit its effect, that there was no great political power in the State which could ever be subdued except by being conciliated. If they adopted that principle, the current of the State would run within its proper banks, and pass safely and peaceably by the ancient towers of the Constitution; but if it were restricted by dams of wicker-work, or pent-up within sluices that would not give vent to its fullness, the imperfect confinement would only exasperate the danger by which all the ancient institutions of the country might be swept away and destroyed. They had been asked, whether there ever had been a time when those which were now called abuses had not existed? That question involved this fallacy, that all those things which, in the origin of Parliament, were among its defects, were now referred to as its glories. It would almost be as good an argument to say, that we ought now to debase the currency, because the ore from which the perfect coin was formed contained much dross that had, by the subsequent labour of the workmen, been cleared from it. That they were defects, he had the authority of Acts of Parliament and resolutions of that House for asserting. These proved them to be abuses—not to be quoted as admitted—but to be shunned as confessed deformities. The hon. member for Oxford, in a speech which, after delivering in that House, he had published—and which attracted more attention after its publication than it had done before—asserted, that the Officers for the Cinque Ports had regularly returned one Member for each of those towns, until the Act of William 3rd interfered, and put an end to the practice. He was sure, that if the hon. Member had read the preamble to the Act of William, he would not have spoken of the practice in the Cinque Ports in the manner in which he had done. This preamble was as follows:—" Whereas the election of Members to serve in Parliament ought to be free; and whereas the Lord Wardens of the Cinque Ports have pretended to claim, as of right, the power of nominating the Members for the same, contrary to the ancient usages in elections for those places." It then declared—he begged the House to observe, that the Act was a declaratory Act—it then declared, " that all such nominations and recommendations were contrary to the laws and Constitution of the country; and, for the future, shall be so deemed and construed to have been." He called on the House to observe, that the Act not only related to all future elections, but declared the law as to all preceding " deemed and construed to have been to all intents and purposes contrary to usage." Another principle on which the opponents of this measure relied—as they could not have the circumstances all their own way, they, like Cato, accommodated themselves to circumstances—they contended, that though direct power or direct bribery had not been permitted, yet, that until the Act of 1809, bribery, which was indirectly effected by money being given, not to the voter himself, but to his family, had been permitted, and they called for an answer to the speech of Mr. Windham delivered in opposition to that Bill. Why, they seemed in doing so to be ignorant of the language of that Act of Parliament. Not only did the speech of Mr. Windham fail to convince Mr. Perceval, but the language of the Act itself declared, that " nevertheless such gifts were contrary to the ancient usage and to the freedom of election, and contrary to the laws and constitutions of the Realm." The language of these Acts had been justified in particular cases. There was a charge made by Sir John Packington against the Bishop of Worcester, who had interfered with him in a contest for that county, and who had thereby acted in defiance of that resolution, adopted every Session by that House, that Peers and great Lords of Parliament should not interfere in matters of election of Members of that House, without a high breach of the privileges thereof. The Bishop had threatened his clergy and tenants, that if they voted for Sir John Packington, he would not renew their leases. On this complaint being made, and the charge being substantiated, the Commons addressed the Queen to remove the Bishop from his situation of Almoner, and with that request the Queen thought proper to comply.* These were the principles that he contended ought to govern the constitution of this House; they were not mere empty declarations upon paper, but were important principles, with which, unhappily, the practice was at war. With these Resolutions against the interference of the Crown or the Peerage—Resolutions so recorded and so recognised—was it possible for any Member of that House to stand up and say, not in the closet, nor in a secret whisper, not in a Committee up-stairs, not within the walls of that House (for he was happy to say, that what was uttered within the walls of that House was not confined to the limits of those walls, but was published all over the kingdom)—was it possible, he said, for any Member to stand up on the House-top, to proclaim the doctrine to a people as capable of acquiring knowledge, and as capable of drawing inferences as themselves, and to a people who were ten times more interested in drawing those inferences, that all these matters of record, all these statutory provisions, all these Resolutions of the House were mere moonshine—mere pretences—mere empty declarations kept upon their books, with the intention to deceive, and without the least possible intention of being usefully applied? There was a time when that might have been said—when what happened in that House was a secret—as long as the people were not informed of what passed there. At such a time there might have been some sense in such a declaration, though there would be neither justice nor generosity in it. At such a time it might have been said that there was one doctrine for the people—"*at mihi plaudo ipsæ domi*"—there was another doctrine for the House of Commons, which was the antipodes of that told to the people. Surely that would not be said by any one. There was not a lawyer—and many of them he saw now present in the House—there was not a lawyer writing a constitutional history of that House—there was not one who would dare (for men of honour did not dare to say what was untrue)—there was not one who would dare to assert that those things which it was now proposed to remove were not merely pardonable defects, but the blessing, the glory, and the honour of the system. There was one subject on which he was anxious to say a few words before he sat down. He had heard a great deal asserted about Members becoming the nominees of the people after this measure should have passed. He had heard from more than one hon. Member on the opposite side of the House, that after this measure should have been carried, they should become mere puppets in the hands and at the discretion of the people. He did not intend to have entered at all upon this topic, but he found it had become a serious question. It was introduced into the theoretical harangues of hon. Gentlemen, in a light, which, if there were any danger of its proving true, would be extremely hostile to that order of things which every man who viewed the Constitution of this country as a system which it was desirable to retain, should use his best exertions to uphold. It was said, that the people were to become the jurors who were to try the acts of the other House, and that they of the lower House should be made their absolute slaves. Then, after this position had been advanced, two conclusions were drawn—first they were told, that they were to become the passive delegates of the people on the passing of this Bill; and secondly, it was said, that if they became such delegates, they must, as their first act of legislation, destroy both the Crown and the Aristocracy. He had a right to say of himself, that he would never be the passive delegate of any constituency. No one in that House had better reason to do honour to the intelligence and proper feelings of his constituents than he had; yet, although he should ever entertain the highest respect for their opinions, and should treat them on all occasions with becoming deference, he would never be their submissive slave or delegate. He would never be bound by promises or pledges, but he would endeavour to cultivate their good will by an undisguised display of his honest sentiments and feelings, and to retain that more honourable and substantial connexion which he at present maintained with them, through a sympathy of feeling and opinion. What he conceived would be the effect of a Reform in that House was this: it would undoubtedly produce a vast, and much-required infusion of the popular mind and feeling into that House; but, from this it did not follow, that on every occasion they were to conform in their conduct to the dictates and the mandates or the written instructions of their constituents. He did think, that two most important results would follow from adopting this Bill. First, that the Representatives would, more than they at present did, act up to the declared wishes of their constituents; and secondly, when they did not, that they would more frequently and more readily explain the motives and the reasons of their conduct. At present, a Representative did not feel himself called upon or required to give this explanation, but regarded the matter with perfect indifference. "Oh!" said many an hon. Member,

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* A full report of the proceedings in this case may be found in Hansard's Parl. Hist. vol. vi, p. 50-54.

'Populus me sibilat,'

but I regard it not. I shall not be called on in the House to explain my conduct, and I do not care what may be said out of doors." What was this but to shelter himself behind a privileged screen from the just demands of constituents, who required the fulfilment of the pledges he had given to them. The infusion of popular spirit into the House would prevent such sheltering behind such a screen, and as ample opportunity would be given for explanation, the consequence would be, that the pledges of a candidate would be attended to: for either he must act in conformity with the declared wishes of his constituents, or assign his reasons for disregarding them. At present, undoubtedly, an opportunity for such explanations was given at the hustings, but it would be much better that a more immediate understanding should take place between representative and candidate. He had himself heard Mr. Canning say—and the greatness of that man's mind made him pause before he ventured to differ from him—that the people invariably followed the opinions of Members when they took a stand on any particular measure. That might be true; but if it was, it must have been because the people felt the hopelessness of opposition; but if the observation was true from such a cause, how much more honourable and how much more sincere was likely to be the following of popular opinion when it was founded upon respect, not upon the hopelessness of opposition, but on a feeling of sympathy and respect? He was far from objecting to those who wished to rely on the political strength and constitutional stability of the House of Lords; but why, if it were to be trusted in reference to this Bill, was it not worthy of confidence with regard to other measures? If the power and independence of the House of Lords were good for this Bill, it was good for all others; and it was not possible, according to the argument on the other side, that it should be endangered, since, if it were equal to present difficulties, it might defy all the perils of after-times. If he were to venture to give one word of advice to their Lordships, it would be to say to them, "Do not be deterred by menaces—discharge your duty with courage and fortitude, and avoid that worst, basest, and most abject species of cowardice, the fear of being thought afraid." If the House of Lords met this Bill in the fair and honest spirit of deliberation—if it encountered it on plain, intelligible, and substantial grounds, and therefore even rejected it, they would have nothing to fear. Of this he was sure, that the people would respect an honest judgment; and while they scorned a nominal concession, they would be grateful for a genuine admission of their claims. In a constitutional sense he would say this, that after the discussion the question of Reform had undergone, the people would never be content with anything less than full, free, and unqualified justice.

Lord *Valletort* could not presume to follow the right hon. Gentleman who had just sat down, through his long Speech, but was anxious to express a few observations in opposition to some of its leading topics. He had anticipated a different line of argument would have been pursued by the right hon. Gentleman, and that he would have suited his observations on this occasion to the speeches he had previously made. His present argument had proved one position, that the desire for and support of Reform, did not advance so much in this House as they did among the people. He (Lord Valletort) was ready to admit this, but he must also say, this new light had broken very suddenly upon the people. The chief bent of the right hon. Gentleman's argument went to shew, that the House did not receive this new light in the same brilliancy the people received it. He believed there was a permanent feeling in favour of Reform, but not a permanent feeling in favour of the specific measure which his Majesty's Ministers had so injudiciously and indiscreetly brought before the House. It had been proved beyond a doubt, that this measure could not be effective, that it was wild and extravagant in its provisions, and he would venture to prophecy, would require material alterations, allowing that it passed, which he hoped it would not, before a twelvemonth expired. One of the strong arguments to induce them to pass the measure, was the responsibility which it was said would rest with this House. He denied that it would rest with the House. It would rest with his Majesty's Ministers, who, when there was no cause for such a vast innovation and change, when the country was in a state of prosperity, when satisfaction pervaded the minds of the generality of persons, when the country was beginning to regain that tranquillity and repose which a protracted war had disturbed, rushed wildly on this precipice of their own creating. It would attach to those who conceived they could produce a measure so perfect that the Parliament must pass it, or encounter a revolution. What would they say to the architect who erected a fabric which he knew was upon a bad foundation, and must fall? Would such a man be considered any other than a madman? and yet so mad were the acts of the authors of the present measure. If the responsibility fell on the right heads, Ministers would have much to fear. Then as to the probable result of this fatal Bill in the other House of Parliament. Did not the Ministers know, that it was impossible for that House to agree to it? If mischief should arise, did it not rest on those who had produced such a measure? He much approved of the eloquent exhortation to the other House which had been delivered by the right hon. Gentleman. He recommended that House to act with courage and fortitude, with firmness and consistency, and he declared, if they so acted they had no cause for fear. He fully and heartily joined with him in this, for he had no scruple in saying, that he looked with confidence to the other branch of the Constitution. He believed the Peers would do their duty firmly and honourably, and reject the Bill, and if any evil should arise, it must be attributed to those who endeavoured to violate the great principles of the Constitution.

Sir *Charles Wetherell* commenced by observing, that instead of any adherence to moderation by Gentlemen on the other side, a departure from that course had been provoked by their manner of proceeding. Language had been used which, though confined within the bounds of parliamentary practice, had been insulting to the honour, integrity, and independence of Members who found their way into the House for what were called nomination boroughs. Even the King's Attorney General had most provokingly charged hon. Members with wishing to create a vexatious and frivolous delay. He did not profess to be able to repeat other phrases of the same description, as he had kept no notes of them, although, had he done so, they would have formed a considerable schedule to be added, not, indeed, to the Bill, but to the debates upon it. The measure had been read a third time two days ago, and his reason for alluding to this fact was, that it seemed instantly to have opened the flood-gates of Ministerial eloquence; until then there seemed to have been a sort of embargo upon oratory on that side of the House—a quarantine to prevent the infection of speech-making. The majority of the supporters of Ministers had come forward with their votes much oftener than with their speeches; but now that the Bill was as good as passed, they were possessed of the "torrens dicendi copia multis," which they poured forth without mercy or consideration. To-night the right hon. Gentleman had given the rein to his impatient steed, and, knight-errant like, had ridden out "a-coloneling" to redress the wrongs of the weak and injured people of England. Last night the hon. member for Calne had come forward, and he (Sir C. Wetherell) must, in justice, own, had displayed a power of reasoning and a felicity of phraseology, equalled by few and excelled by none. This was only a part of the deluge of words that, during two whole days, had poured down like a torrent and overwhelmed the enemies of the measure; whether, like the Deluge of old, it was to last for forty days and forty nights, was yet a question, but, after what he had heard, he was not without his apprehensions. As he was not yet quite drowned, he would endeavour to answer a few of the points urged by the right hon. Gentleman. First, he had rested the necessity of Reform upon the fact, that the commerce, property, and population of the kingdom were doubled; but surely this was a strange reason for adopting a Bill which abridged the people of about thirty of their Representatives. He wished to hear where was the necessity for this diminution, and certainly, the most celebrated advocates of Parliamentary Reform had never made it a topic in their speeches. The mere fact that the commerce, wealth, and population of the inhabitants of Great Britain had doubled, was a most unanswerable argument for those who wished the Members of the House to be no fewer than at present. He had, before the Bill was read a third time, taken the liberty to represent to the noble Lord (the Chancellor of the Exchequer), that he thought the reduction of the number of Members to be one of the most unconstitutional parts of the Bill, and he considered how his Majesty's Government could, consistently with the cheered opinions which they had delivered in the progress of the measure, act upon such a principle. But by-and-by, perhaps, it might be explained why such an expedient had been resorted to. Next, the right hon. Gentleman had talked of the Sessional Resolution against the interference of Peers in elections, and had quoted the case of the Bishop of Worcester, in the reign of Queen Anne; but if they had become matters of form, and were now of no effect and validity, was that a sufficient reason for adopting a legislative enactment on the subject? The right hon. Gentleman had talked of yielding only to circumstances. Nothing but the Gods could conquer them. Who was the Cato of the Treasury Bench, and why had he taken his place there?

> "Cur in theatrum, Cato severe, venisti?"

Perhaps he might conclude the quotation, which was the reply to the question of the epigrammatist—"An ne exire." Again he asked, who was the Cato of the Treasury Bench who had been conquered only by circumstances? was it the Chancellor of the Exchequer, the Paymaster of the Forces, the Attorney General, or the First Lord of the Admiralty? Lucan asserted that—

> "Victrix causa Diis placuit, victa Catoni;"

but who was the hon. or right hon. Gentleman on the other side of the House who would prefer, in this instance, the unsuccessful cause? They might all be compelled, by the honest decision of the House of Lords, to adopt the unsuccessful cause—but assuredly it would not be by their own good will; and they had shown, by the result of the last Dublin election, that they did not prefer that side of the question. Another topic urged by the right hon. Gentleman was, that at one time the Lord Warden of the Cinque Ports had assumed the right of naming the Members; but it was an odd argument for disfranchising the Cinque Ports, that the Legislature had interfered and prevented the practice. That was wise in the Legislature. It did not annihilate the Cinque Ports, it corrected the abuse. He contended, that the very deformities the Bill was intended to remedy were still most unaccountably allowed to remain in the notorious instances of Calne, Tavistock, Malton, and Horsham. It had been stated, that the House of Commons could not carry weight with it without the aid of public opinion. He agreed in thinking that the House of Commons never could act with weight and dignity unless it represented and carried with it the force of public opinion; but public opinion had always been expressed through that House. A new channel had, however, been discovered through which the public opinion was hereafter to flow to the aid of the House of Commons, in the 10*l.* tenancy. The 10*l.* voters were henceforward to constitute what was called public opinion, which, until now, was an aggregate of the sentiments and interests of the component parts of the House of Commons. Henceforward they were to look to the popular phalanx of 10*l.* householders as the representatives of the public opinion. His right hon. friend (Mr. Robert Grant) had introduced another topic, by drawing a distinction between a nominee and a delegate, and describing himself as a Representative of Norwich, but not as a delegate. He congratulated his hon. friend upon the independence which he enjoyed in his seat, but he doubted much whether the usage was equally florid and virescent on the banks of the Thames. He doubted if his right hon. friend, the member for Norwich, was more independent in that House than the Representatives of nomination boroughs. The member for Calne had talked last night of a want of moderation on the part of the opponents of the Bill, but had that hon. and learned Member read the pamphlet, *What will the Lords do?* Was it there that moderation was to be found? or was it in the newspapers? Had the hon. Member read, within these two days, the language which had been held at a public meeting, where it had been said, that if the House of Lords should presume to throw out the Bill, mutiny and treason were to be recommended to the country. When his right hon. friend talked of the moderation of the organs of the public voice, he must have shut his eyes—no, he was a member of the Government, and must have read in the columns of a journal devoted to, and in the special confidence of, the Government—a journal which arrogated to itself (he would not deny on just grounds) the power of leading public opinion—a journal, moreover, to which it was notorious some of the most active spirits of the Government contributed—he must have read in that journal, and that not in a small type paragraph, on a back page, but in a conspicuous column, in large staring capitals, an article which was neither more nor less than an appeal to the soldiery to commit mutiny and treason. Had his right hon. friend read this article? and if so, how could he talk of the moderation of the supporters of the Reform Bill? Had he also read those appeals in other journals, devoted to the cause of Reform, in which certain no-mistake hints were thrown out with respect to the innocent practice of setting fire to haggards and barns? Were these, forsooth, "moderate" opinions — these calm and deliberate reflections on a great political question? Nor was this lànguage confined to one or two of the exoteric friends of the periodical Press, or to one or two of their disinterested friends either in that House or out of doors. Had they not read the speeches of their exoteric friends at some of those public meetings which their great organ, or rather their great dictator, *The Times*, had summoned into existence? Had not a Member of that House at one of those meetings, given utterance to expressions which had no other meaning than to recommend the sweeping away of the House of Lords, or putting it in a schedule A of a new Reform Bill? No doubt this language was just now indiscreet on the part of a supporter of the Bill—was a kind of letting the cat out of the bag before his time; and therefore its perpetrator's acquaintance would very judiciously be disclaimed by the noble Lord (Althorp) opposite. But an enlightened public would not be deluded by the disavowal, and would feel, what Ministers must feel, that they were under the dominion of a despotic Press, and that their acts were suicidal to themselves as a Ministry, and must inevitably lead to that worst species of terrorism—the terrorism of the Press. He had always understood the freedom of the Press consisted in supporting both sides of a question; but constituted as the Press was, there could be no freedom. It was all on one side. The Press, said an hon. Gentleman, will put an end to these votes on the part of the Anti-reformers. So, unless the domination of the Press was obeyed, they were to be held out to popular indignation, and the House of Lords despised for presuming to exercise their rights. That was the most detestable of all dominations which made the liberty of Members of Parliament to talk and act for the benefit of the public, an outrage against the rights of the people. He would maintain, that a domination like that could only be compared to the power of the Romish Church, which consigned a man who did not agree with it in his writings and opinions to the Inquisition. His right hon. friend (Mr. Croker) had evinced talents which made him more acceptable to the House out of office than in office. That right hon. friend had used arguments which remained unanswered. Science and eloquence had produced a materiel which proved his right hon. friend's intellectual resources. The hon. member for Calne had, in the course of his, no doubt, deservedly eulogized speech of last evening, called their attention to the conduct and fate of the French peerage in the memorable years of 1792, 3, and 4, and had drawn pictures of their sufferings and of the dilapidated state of their mansions in the Fauxbourg St. Germain, and of their rural chateaux, which would have done honour to the most perfect melodramatic abortion of the Minerva press, in order to impress on the peerage of England the danger of not at once yielding without deliberation, or why or wherefore, to the demands of the popular will. Take a lesson, said the hon. Member, from that conduct and that fate, you English House of Lords, and yield in time and with grace to the constitutional demands of the people [*hear, hear*]. Hon. Members were very ready with their " hear," but were they aware that the parallel which their crack orator had attempted to draw between the English and the French peerage, had no foundation? Was that eloquent Gentleman himself acquainted with the facts on which he so glibly rung the changes? Certainly not, or he could not have overlooked the fact, that there was this striking difference between the English and the French peerage—that whereas the latter made no resistance to the demands of the people, yielded every concession to the *tiers etat*, while the House of Lords here had as yet expressed no opinion whatever, certainly not one on the side of concession. The French peers yielded every thing, and yet were extirpated root and branch; and yet the hon. Member would induce the English barons to follow their fatal example. When he heard the hon. Gentleman advance the topic, it surprised him: he could not imagine how he could think of starting such a subject, as it constituted one of the strongest arguments that could well be conceived against his own speech. But, as he had started it, he would go with him, and say, that, recollecting what did happen to the French noblesse—recollecting the tyranny, the oppression, and the suffering which they endured, not for a resistance but for a too passive compliance with the wishes and whims of the democracy, he would say to the other House of Parliament—

" Exemplum ab aliis sume quod tibi usui sit."

Pause ere you concede—hesitate ere you surrender—and with the fall of the French House of Peers before your eyes—do not, by obeying the dictates of democratic authority, pave, for yourselves and your families, the way to ruin and desolation, if not destruction. This, indeed, was logic and " friendly advice to the Lords " with a vengeance. But, says the hon. Member, there was some consolation that the ancient houses of Howard, and Talbot, and Stanley, had given the excellent example of yielding in time to the just demands of the people. Perhaps this was the case; but certainly, so far as the Bill enabled them to form an opinion, the fact appeared not so self-evident. For example, the ancient and populous borough of Tavistock, which belonged to the ancient and popular house of Bedford, was still to return two Members, notwithstanding the Russell anxiety to purge itself of such an excrescence. Then there was the ancient and populous borough of Malton still to be encumbered with Representatives, though its proprietor happened to be a member of an ancient Reform family. In like manner the ancient house of Petty was forced to retain its two Members, no doubt to secure the talents of its present eloquent Representative, though it was self-evident that the circumstance must make the heart bleed of the most noble Marquis of Lansdown. And, last of all, the illustrious head of the illustrious and princely house of Howard, was still to be thwarted with the nomination of the borough of Horsham. If a list of such sacrifices were to be put together, it would make a very pretty schedule O to the Bill—a very nice series of ciphers—a kind of algebraic negative quantities (an infinite series of which was said by mathematicians to be equal to a half positive quantity), and would be a very nice subject for a Reform Parliament. Malton would have fallen into the bottomless pit of schedule A, had it not been discovered to possess five good souls to save it. It had been thrown into the same pond with others, which were drowned; but it was saved by having just length enough to keep its chin above water. The hon. member for Calne had talked much of the fatal folly of opposing the popular will, and, per contra, of the wisdom of timely yielding to it. But if the hon. Member referred to his own darling era of 1792, in the French Revolution, he would see a man, a peer, a prince of the blood royal, courting, nay, worshipping mob popularity by every means in his power, and yet whose ultimate, and certainly just reward—the usual reward of mobs—was having his head paraded on the top of a pike, amid the jeers of his once laudatory followers. And he deserved his doom. Was the history of Philip Egalité forgotten in this country. He was in 1791 at the acmé of his popularity, and was as if rocked on the mountain waves of popular regard. That man had worked the greatest injury to his own order—he asked the surrender of the nobility to the *Tiers Etat*—he brought over other Peers to go along with him—and he would ask, were the Pettys, and the Spencers, and the Howards of this country to be seduced by any such example? Philip Egalité was the fugleman of the French Peerage, and the people had, no doubt, done him every justice. Patriots were entitled to civic honours, and he obtained them. His head was not crowned with bays, as in the old Roman times; and that idol of the people, in one short year from his onset, had his head placed on the head of a pike as the just and fitting reward of his labours. Such were the civic honours with which he had been so deservedly honoured. Was this an example of a patriot to be held up to the imitation of British Peers? The treachery of Philip led to the destruction of the splendid monarchy of France and the French people, for even after a struggle of above forty years, the people were never able to regain the same amount of liberty which they had enjoyed under the despotism of the elder branch of the Bourbons. He (Sir Charles Wetherell) did not feel inclined to say much of the appeals which had been made in the House to the conduct of the French Peerage; but out of the House the friends of Reform had constantly referred to it, as an allusion to what they considered to be the duty of the Peerage of this country. If that appeal were successfully followed up, it would not only lead to the destruction of the Peerage, but to that of the best interests of the people. The pamphlets and journals to which he had alluded, recommended the Spiritual Bench in the Lords to take warning by their brethren in France, at the outbreaking of the Revolution, and yield in time and with grace to public opinion. But did these sapient advisers forget, that the French Bishops had made every concession to the popular demand, and that their reward was, that they were immediately thrown into prison? They yielded to the times, to the cries of the then Reformers; and in the result they were reduced to indigence, and compelled to seek for support in a foreign land, and amongst a people of a different religion. September was a month congenial to Reform—to those who were fond of making and unmaking Constitutions: and thus in September did our Government and their supporters think to effect what they called Reform, but what he would call the destruction of the British Constitution. However, the French Bishops were sent to prison even after their acquiescence with the prevailing schemes of the day, and as to their sufferings he would not now attempt their enumeration. But they certainly made themselves the victims of their votes in favour of what they vainly imagined to be the interests of the people. The most savage cruelties were practised under the name of a licensed freedom; and perhaps nothing in the annals of human barbarity ever equalled the assassination of the French clergy, when once they surrendered the rights belonging to their religion and their rank. He had seen a pamphlet which was published recently under the title of *The Friendly Press*, and which, he must say, was very nearly in unison with the feeling of others, published on the occasion of this Reform Bill. To this *Friendly Press* he hoped the hon. member for Calne would direct his attention, because it gave advice to the Peers which could not be acted upon by any man who was in the possession of his faculties. This he said without meaning the least offence to that hon. and learned Member. The right hon. Secretary for Ireland said, that he should not discuss what belonged to the House of Lords, but rather what concerned the rights and privileges of this House, and so far he (Sir Ch. Wetherell) agreed with him. It might, however, be said, that what had occurred in France was not likely to occur in England. But while we were Septemberizing in 1831, who could say that others after us would not be Septemberizing in 1832, or that another holy and revolutionary September would not again arrive in this country? It was his decided opinion, that another holy September would arrive—another September consecrated alike to revolution and rebellion. September was too holy a month to be neglected or forgotten, and no doubt very important changes were meditated during its continuance. What had occurred in France might not possibly occur in England at this day, but that could only arise from the greater caution and sound feeling of the Lords Spiritual and Temporal in the other House of Parliament. He trusted their Lordships would take warning from all they had heard and read and seen in this country, and that they would never forget the degradation to which the French Bishops and Nobles were reduced, by yielding a too ready compliance to the call of democratic mobs. At this time, and under the present circumstances, he would not go through the details of this ruinous and revolutionary Bill, but he felt it necessary to refer to one or two of its clauses which met his most decided objection. For the purpose, he should suppose the Reform Bill a mere *carte blanche*—a sheet of white paper—on which the Government thought proper to place a new Constitution for this country. He could not see why the clause conferring the right of voting should be fixed at the scale of a 10*l.* rental, while that of a 9*l.* or a 5*l.* would not confer it; for it was well known that the smaller amount in some towns was a better proof of the possession of property and independence than the 10*l.* in many other places. And here he would ask, if any man could deny that in the course of the very next year some further alteration would not take place as to the qualification for exercising the elective franchise? Did any rational man suppose that such a system could be final? He denied it, and for the best of all reasons, that it had not reason to support it. Why, in the name of decency or common sense, should weekly tenants be allowed the right of voting, when every one must know, that they would be at all times under the entire control of their landlords, and that in a much greater degree than any owner of a borough held his nomination Member? It was said, that the Peers were disgraced by having nomination boroughs, and yet weekly tenants and tenants-at-will were to be left to the control of their landlords, who would exercise it over them with an unsparing hand. It was said, that the 10*l.* franchise would prevent bribery at elections. In his opinion it would considerably augment it. It would be nothing short of an idle prevarication to say, that from henceforth the Lord Chancellor would not be able to settle the whole constituency of the country, for what with the Commissioners to carve out districts, and the Barristers to decide upon votes—and all these persons being appointed or their apppointment being controlled by the Lord Chancellor—he would again repeat, that the constituency of England would be settled by the Lord Chancellor. He said this without intending any disrespect to the present Lord Chancellor; but it must be clear, that while he had such a power vested in him, and was at the same time a Cabinet Minister, that he would naturally and almost necessarily use his influence in the return of Members who would support the Government, of which he was a leading and influential Member. As to the patronage to be conferred upon the Lord Chancellor by this Bill, if, unhappily, it should pass into a law, he would not say much, although, taking it at a very moderate average, it would be no trifle to have the appointment of some forty Commissioners in one shape or another, and also Barristers to an equal number. These were a few of his objections to this very unconstitutional and revolutionary Bill; but before he sat down he would allude to a question asked by the writer of a pamphlet entitled *What will the Lords do?* That question was—"Supposing a majority at present in the House of Peers against the Reform Bill, what is the Government to do?" The answer given in the pamphlet was this:—"Let the Lords look well," said the author of that pamphlet, "to what they are about, for if they do not, there may be forty or fifty new Peers sent among them; a number of new Peers may be created which will swamp the old Peers and render their voices and their opinions of no avail." Now there had been a tolerably large batch of Peers made already, which he did not object to, but he did object to those, or to any other Peers being made, if they were made upon the principle that they must vote for this Reform Bill. He objected to this being the principle of the creation of Peers. The Gentlemen who had been created Peers had been created on this principle, and being in this House *functi officio* in the way of voting—and only in the way, for they had never spoken—they had been promoted to do the same thing in the House of Lords. The author of the pamphlet to which he had before alluded, found out that, if his advice were taken, the Peerage would be too large, and therefore recommended, that they should do with the English Peerage what had been done with the Scotch and Irish Peerages. The pamphleteer, in one word, recommended that the English Peerage should be an elective Peerage. The hon. member for Calne had alluded to France in 1792, but he (Sir Charles Wetherell), who had read the papers of to-day, would be content to look at France now, and, so looking, he found that the recommendation of the pamphleteer was a recommendation to do that in England which was now doing in France. The principle too, besides the point of election, was, that the King must elect according to the wishes of the people; so that, in point of fact the Commons would elect both the Peers and their own Representatives. He would therefore say, with the hon. member for Calne, go to France for examples. He was opposed to this Bill from the beginning of it to the end. It was quite clear that, taking any town, if A had 100 houses and B had 100 houses, and A and B combined, the two could make that town as rotten as the rottenest borough in schedule A. It was said, as a boast, that only five or six county Members opposed the Reform Bill. But let the county Members beware. A small addition was to be made to the number of county Members, which was a mere plagiarism from Cromwell's plan of a republican House of Commons. But what were the general results under this Bill? The borough Members were to the county Members as two-and-a-half to one; and when the repeal of the Corn-laws came to be agitated in a Reformed Parliament, the country Gentlemen would find, that all their arguments as to the necessity of remunerating prices would be sneered at; and they would find themselves in a minority of one to two-and-a-half upon every subject which was fatal to the landed interest. Those who supported the Bill, therefore, should be a little charitable. They should give those who opposed it, credit for not merely obstructing it because it was a Reform Bill, but because they considered, that after the passing of this Bill, the landed interest would be unable to retain itself, and must fall, with all that depended upon it. The contest was yet to come, but he feared it might terminate by the annihilation of the estates of the ountry gentlemen, and the ruin of all it was their interest and duty to protect. Cromwell's republican Parliament was more free and independent, as well as less revolutionary, than that now about to be established. It guarded the landed interest, instead of leaving it in a minority of one to two-and-a-half. He had now done. He had endeavoured to express his feelings fairly and fully on this measure. His judgment was never more convinced than that this Bill necessarily laid the train for evils which those who introduced it never contemplated. For his part, he should never stand on a hustings to make promises which he could not fulfil. He should never pander to popular clamour; he should never endeavour to find his way into that House by the surrender of truth, or of his own judgment. If this was the last sentence he should utter in the House of Commons, he must state that, in his sincere and honest judgment, the Bill now about to pass was calculated to subvert the Throne, the Monarchy, the Church, and ultimately the liberties of the people.

Lord *Althorp* said, that in rising at that late hour of the night to speak upon this important question, he felt that he had undertaken a task which required the utmost indulgence of the House. Wishing, as he did, to refer to many of the arguments which had been offered to the House during the debates of the three last nights, he felt that, after the several able speeches which had been made against the Bill, he should have some difficulty in making that arrangement of his topics which would render his statement clear and satisfactory to the House; and, therefore, he was afraid that he should occupy a much longer time than was usual with him in addressing the House upon this occasion. Before he entered into a consideration of the main question then before the House, he would briefly allude to one or two topics, which did not belong so much to the Bill itself as to the general question of Reform. He would allude, in the first place, to what the hon. and learned member for Boroughbridge had said about the French revolution. The hon. and learned Gentleman had stated, that that topic had been introduced into the debate by his hon. friend, the member for Calne. On that, as on many other points, the hon. and learned Gentleman laboured under a mistake. The topic had been referred to by several Gentlemen who had spoken before his hon. friend, and more particularly by the hon. Member who had first mentioned the influence, which a consideration of the events of the French revolution ought to exercise over the members of the House of Lords. Indeed, the greater part of the present debate consisted of speeches intended to influence the votes of the House of Lords rather than the votes of that House in which he had then the honour of speaking. He believed that this topic of the French revolution had been first introduced into the discussion by the hon. and learned member for Rye, who had made an eloquent and able speech, which appeared to him to contain every merit that a speech addressed to a popular assembly ought to contain. To his great surprise, his hon. friend, the hon. member for Thetford, had stated, that he thought that that speech proved the hon. and learned member for Rye to be quite incompetent to address a popular assembly. He thought quite the contrary, and contended, that the opinion expressed by his hon. friend, the member for Thetford, only proved, that his hon. friend was incapable of appreciating the intelligence of popular assemblies, and that he did not know what sort of speeches were generally addressed to them. His hon. and learned friend who had commenced this debate (Sir James Scarlett) had praised the Trial by Jury, had praised the selection of the magistracy from the people—had praised, in short, every portion of our Constitution. He concurred with his hon. and learned friend in the praise which he had bestowed on the Trial by Jury, on the popular selection of our magistracy, and on our excellent Constitution; but he could not concur with his hon. and learned friend in the assertion with which he followed up that eulogy — an assertion which went the length of stating, that if any gentleman wished to acquire the applause of a popular assembly, he had only to propose to abolish the Trial by Jury. He was, indeed, surprised to hear his hon. and learned friend assert, in the face of the House, that the Trial by Jury was unpopular in the country. There might be one or two persons—he thought there could not be more—who, for the sake of singularity, were opposed to the Trial by Jury; but, from the conviction of its excellence, he hoped that, as it always had been, it always would remain, a popular institution in this country. His hon. and learned friend, after describing the danger which he apprehended from the changes introduced by this Bill, asked the Reformers whether they were sure that, after the Bill was passed, the country would retain the blessings which it now enjoyed? He would ask his hon. and learned friend a question in return, and that question was —"Are you sure that, without Reform, those blessings can be retained? Are you sure that, with the feelings and opinions of the people, which have grown up to their present extent, you can preserve those institutions you so much value, if you do not consent to reform the Representation?" His hon. and learned friend had said, that he, too, was a Parliamentary Reformer; he had often voted for Parliamentary Reform with his hon. and learned friend; but, if the arguments which his hon. and learned friend had urged during the present discussion were to be the grounds on which he must judge of the opinions of his hon. and learned friend, he would say, without hesitation, that no man could be more adverse to Reform than his hon. and learned friend —for his hon. and learned friend would not admit that our Constitution was capable of any improvement. It had been asked by his hon. friend, the member for Thetford, to what period of English history were they to go back to find such a system of Representation as that which this Bill established? If they looked to the mere letter of the law, and to the mode of Representation under the law, he agreed with his hon. friend, that they could not find an instance of any such Representation; but, if they looked to the principle on which Ministers proposed to form a House of Commons representing the people, not merely in theory, but also in fact, they would find that, in the best periods of our history, this principle of our history was clearly established by law —that the House of Commons should represent the property, the wealth, the intelligence, and the industry of the country. Undoubtedly, the enactments by which that object was effected in former times were the same in principle as those now proposed; for, in former times, those boroughs which returned Members to Parliament did include all the wealth, all the intelligence, and all the property which then existed in the country. But now, when many of those boroughs had decayed—when large masses of wealth and property had risen in other parts of the country—when intelligence had extended to a much lower grade of society—when new voters had sprung up in that lower grade, possessing more information as to the principles of the Constitution than the higher grade of society which used to vote in those boroughs formerly possessed—when all this was the case, he contended that they were acting, if not in the letter, strictly in the spirit of the Constitution, when they proposed to extend the elective franchise to the constituency formed by this Bill. The arguments which had been used by many Gentlemen in this debate tended to prove that there was no use in Representation at all. Those arguments were, that the constitution of that House contained a sample of every class in the community, and that every interest found a representative in that House. But did it follow, that because there were in the House samples of every class and members of every interest, those persons were the representatives of the interests with which they were connected? If they were to ask an individual, whether he would have his interest represented merely by a man of his class, or whether he would choose himself a representative for that class, he had no doubt that the individual would reply, "Let me be represented by a man of my own choice, and not by a person who finds his way into Parliament through a borough over which I have no control." The same idea had entered into the mind of his hon. friend who had proposed to give Representatives to India. He had been much surprised at hearing his hon. friend make such a proposition, knowing, as he well did, that his hon. friend had often admitted to him in private conversation, that the people of India were not qualified for a representative system. His hon. friend was, however, consistent with himself; for as he thought that the looms of Manchester and of Leeds could be well represented by the green mounds of Gatton and Old Sarum, so he thought that the people of India might be well represented by the merchants of Leadenhall-street.

Sir *John Malcolm:* I said the interests, not the population, of India.

Lord *Althorp* continued. Well then, just as the interests of Manchester were represented by Gatton and Old Sarum, were the interests of India, according to his hon. friend, to be represented by the proprietors of India stock. For his own part, he must say, that he could not consider such a Representation any thing like a Representation of the people of India. Under such a system the House might contain Gentlemen capable of giving them information on the subject of India, but they would not have Gentlemen representing the feelings, wishes, and interests of the inhabitants of that great continent. Then the hon. and learned member for Rye had said, that the expectations of the people had been so raised by this Bill, that if it passed into a law, there would be danger of re-action taking place, from the disappointment which the people would feel on finding their expectations not fully realized. He doubted much whether the expectations to which the hon. and learned Member had referred were so extravagant as the hon. and learned Member had described them to be. He believed that those persons who looked with an eye of favour on this Bill, did not expect the beneficial effects of it to be so instantaneous or so great as the hon. Member assumed. They believed that the effect of this Bill would give them such an influence in that House, as would prevent measures from being carried contrary to their wishes, and that, if it would not amend the past, it would prevent the recurrence of similar evils for the future. But what was the cure, the extraordinary cure, which the hon. and learned Gentleman proposed for the danger which he had himself conjured up? The cure, strange to say, and hard to believe, was, to disappoint the people altogether, by rejecting the Bill at once. Supposing, however, that the people should be disappointed, and that they did not derive from this Bill all the advantages which they expected, they would still, in his opinion, be less discontented when they had confidence in Representatives elected by themselves, and would show less impatience under suffering and distress, than they would do when they were represented by men over whom they had no control. His hon. friend, the member for Thetford, had asked a question, which he said had never yet been answered, and that question was, how Ministers were to find seats in that House, and how the Government was to be carried on, after the passing of the Reform Bill? It was undoubtedly true that then, more than at present (although at present it was necessary), it would be necessary that the Administration of the day should be popular in the country, and he must say, that he saw no such enormous difficulty, if the Ministers were popular, as to their finding seats in that House from populous places. By far the larger proportion of the Ministers would be Members of that House on their appointment to be Ministers, and if the Administration were popular, there could be little doubt that they would be re-elected on appealing to their former constituents. This, then, was not a practical evil of that extent which should lead the House to reject this Bill. But did any Gentleman on the opposite side of the House mean to contend, that persons whom the people would not return to Parliament were fit persons to compose an Administration? Supposing, however, that the Ministry were once in office, or in Parliament, would they not, he would ask his hon. friend, find it an easier task to carry on the Government with a contented, than with a discontented, population? His hon. friend ought to consider whether the difficulty of carrying on the Government without Reform was not increasing to such a degree, that the difficulty of electing Ministers of the Crown Members of Parliament—supposing that difficulty to exist—shrunk into nothing, when compared with that. "But," said his hon. friend, "whilst you are destroying nomination boroughs on the one hand, you are erecting an oligarchy on the other," forgetting that this very oligarchy existed at the present moment. His hon. friend had likewise stated, that as Ministers diminished the number of Members for close boroughs in the House, they were increasing the power which the Aristocracy would exercise over it, by means of the close boroughs which still remained. It really appeared to him that, to say that the possession of a small number of boroughs gave a larger power to the oligarchy than the possession of a large number, was something very like saying that a part was greater than the whole. It had been assumed, in the course of the debate, that by this Bill they were going to establish a democracy, and that they were going to change entirely the Constitution. Now the Constitution of the country would stand after this Bill as it did at present, in all its relations with the country. It would still consist of King, Lords, and Commons; and as to the measure, or any thing proposed by the Government, diminishing the just influence of property and the Aristocracy, he would only say, that there was nothing in that Bill, or in any other Bill, which could diminish that due influence. Undoubtedly it would spread that influence more over the body of proprietors than it was spread at present, for at present the influence of property over that House was only exercised by such proprietors as were also proprietors of close boroughs. By the Bill it was proposed that the latter influence should be destroyed, and that the influence of property should be exercised by the mass of proprietors—not by an oligarchy of them. His hon. friend had said, that power in the Government ought to be proportional to property, and, in that position, he fully concurred. Indeed, one of the chief merits of this Bill was, that it would give to every man in the country power proportioned to the joint influence of his property and his character. Much had been said in the course of this debate regarding the House of Lords. It had been asserted, that the consequences of this Bill must be destructive to the existence of that branch of the Legislature. It had been said, that there was no instance in the history of mankind of a purely popular assembly co-existing with a peerage and a monarchy. That was true; but he believed it was true only because the experiment had never been tried, and not because any rational man had ever thought that, if tried, it would not succeed. He repeated, that the experiment of a purely popular assembly had never been tried. Something like it had been attempted in this country, and the effects had been beneficial. They would be still more so, when the Representation of that House was more correctly a Representation of the wealth and intelligence of the country; and therefore he could not agree with the argument that because that House was to be in future the real Representative of the people, it would therefore set about overturning all the institutions of the country, which, in point of fact, existed only because the people were attached to them. The power of the House of Lords consisted, not in a physical force of its Members, but in the attachment of the people; it consisted in public opinion, and when it was unsupported by public opinion, fall, he was afraid, it must. At present no one proposed to take from that House its share in Legislation. Its influence depended, not only on its share of legislation, but on the knowledge of the people of the advantages they derived from having one branch of the legislature conservative and independent of popular commotion. The House of Lords was in no danger whilst it performed its duties, and therefore, if this Bill passed, there was no danger of that House losing the influence which it always had possessed, and which he trusted that it always would possess, in the Government of this country. Another argument to which he wished to apply himself was this, that the effect of this alteration in the Constitution, as it was called, so far from preventing us from falling into those evils of which we complained at present, would be to plunge us still more inextricably into those difficulties—that, as we approximated to what were called republican institutions, we should rush into wars rashly, and come out of them dishonourably. He knew not from what experience of mankind this argument, if it could be called an argument, had been drawn. He knew that the people of all countries, no matter whether their Government was monarchical or republican, were too much accustomed to rush hastily into war; but if they looked around them at the present moment, they would see no symptom of the occurrence of any such danger at the present time. He hoped that they were fast advancing to that period when the good sense, and wisdom, and intelligence, of mankind, would render the people of all nations less eager to engage in hostilities. He hoped that already they were sufficiently advanced in education to perceive that none of the phantoms of national triumphs and national glory were worth the expense of blood and treasure by which they must always be purchased. They would certainly see, that if the republics of former days had been more eager than monarchical Governments to engage in war, the greatest republic of modern times, from the greater spread of knowledge and civilization, had not shown any such disposition. At any rate, it ought not to be forgotten, that even if republics had been eager to rush into war, they had always pursued them with resolution, and had not abandoned them dishonourably. He felt that he was not arranging clearly the statements which he was making to the House; but he trusted that the House would understand his arguments, though he might not arrange them very consecutively. It had been stated by some Gentleman in the course of the debate, he did not exactly recollect by whom, that the effect of this Bill would be to increase bribery and corruption at elections. He did not see how that could well happen. There were in the Bill various provisions tending to a contrary effect. The shortening of the duration of the poll would greatly tend to prevent bribery; for it was well known that bribery always increased in proportion as the poll was prolonged. The shortening the duration, the taking it in different places, the placing the qualification of the voters on the footing established by this Bill, would all tend towards the same end. In the large towns, the right of voting was extended, he admitted to a low class in society; but in those large towns, bribery would be less likely to occur, because the purchase of a few votes could have little influence on the result of the election. In the small towns, the voters created by this Bill, were acknowledged to be of a higher description, and therefore might be supposed incapable of yielding to corrupt practices. The hon. and learned member for Boroughbridge had opposed this Bill, on account of the power it would give the landlord over his tenantry. He had argued that if A had 100 houses, and B had 100 houses, occupied as they might be, and they were to unite their joint interests, they, would exercise such an influence in the election as would render the place as rotten as any of the boroughs in schedule A. Now the places where weekly tenants existed were large towns, where all the letters in the alphabet might unite, and yet find it impossible to carry the election. Therefore this Bill would not have the effect which the hon. and learned Gentleman apprehended. His right hon. friend, the member for Montgomeryshire, had that evening stated how far he had gone in the promotion of Reform. He had been glad to hear his right hon. friend's statement, for, though Ministers had had the benefit of his vote on the second reading of the Bill, he believed that there was not a single clause of it which his right hon. friend had not opposed in the Committee. His right hon. friend considered this Bill to be too extensive. Now Ministers thought, that if they did not give to the country an extensive plan of Reform, they would only be making a change in the Constitution of the Legislature which would not give satisfaction. He had every reason to hope, from the satisfaction which it had already given, that the change which they had proposed would be permanent. He did not see that any of the grounds which his right hon. friend had stated in order to show that it would not be permanent, were likely to raise discontent in the country. He had every reason to hope that the Bill would inspire the people with confidence in their Representatives; and if so, they would not call hereafter, as they had called lately, for a large and important change. The hon. and learned member for Boroughbridge had addressed himself at great length to the House on the subject of the French Revolution. The hon. and learned Member had himself been an eye-witness of some of the terrible scenes to which he had alluded. For himself, though he was only a boy at the time of their occurrence, he had still some recollection of them. He could not speak as confidently regarding them as the hon. and learned Gentleman, for he had not seen them; but this must be evident to all who heard him, that the state of France previous to the Revolution was as different from the state of England at the present moment as the state of one country could be from another. When the hon. and learned Gentleman said, that the noblesse of France suffered because they gave way to popular clamour, and sacrificed their exclusive privileges, he should consider what those privileges were, and how different they were from those of the peerage of England. He should consider that though undoubtedly at last they did give them up, the surrender was not made till long after the Revolution had commenced. The Revolution began in the years 1789 and 1790, and the year 1792 was the only year to which the hon. and learned Gentleman had referred as the era of these sacrifices. There was, however, equal danger in resisting the demands of the people at a right period, and granting them at a wrong one; for resistance at an early stage to just demands excited indignation, and concession to them at a late period gave rise to the contempt of the people. The hon. and learned Gentleman, in replying to the observation of his hon. and learned friend, the member for Calne, as to the increased wealth and population of the country being a just ground for extending the Representation, had asked, how that observation tallied with the proposition to diminish the number of the Members of the House. For his own part, he did not see any analogy between these two cases. He did not see why an increase in the number of electors should lead to an increase in the number of the elected. The real question in this case was, would the number of Members continued in Parliament by this Bill be sufficient to perform the business of the country, extended as it was by the increase of its wealth and population. He would answer that question in the affirmative; but if he were obliged to answer it in the negative, a difficulty far greater than that suggested by the hon. and learned Member would stare him in the face; for the only mode of increasing the number of Members of the House, beyond the number fixed by these Bills, would be by adding to the number of towns to which we now propose to give Members not retaining any of those boroughs which the House had said ought no longer to send Members to Parliament. The hon. and learned Gentleman had likewise said, that in spite of all our efforts to get rid of what had been called the shameful parts of the Constitution, we still retained many cases of deformity, as, for instance, the boroughs of Calne, Horsham, and Tavistock. The hon. and learned Gentleman had attended all the discussions in the Committee, and must, therefore, recollect, that the argument urged with respect to this class of boroughs was, that the Committee ought not to look so much at the present, as at the future state of the constituency of these boroughs. The constituency of all these towns would be altered, and the influence which now nominated the Representatives for them —for he did not mean to blink the fact that they were nomination boroughs— would be entirely changed. [*Sir Charles Wetherell expressed dissent.*] He (Lord Althorp) did not know whence the information of the hon. and learned Gentleman came. He thought, however, that his information regarding these boroughs, was likely to be quite as good as that of the hon. and learned Gentleman; and he would again repeat, that the influence of the proprietors of those boroughs within them, if not entirely destroyed, would be materially diminished. The hon. and learned Gentleman had next attacked the newspapers and pamphlets of the day; he had said that he was quite glad to find that the Gentlemen on the Ministerial benches had begun at last to speak. Finding this to be the case, it was most extraordinary that the hon. and learned Gentleman, instead of applying himself to answer their speeches, should only apply himself to answering pamphlets and newspapers. The hon. and learned Gentleman must be aware, from his knowledge of the world and of Government, that such publications were not under the control of any Administration. The hon. and learned Gentleman had quoted from them many things of which he was happy to say, that he knew nothing; and that was not surprising, considering the numberless publications to which the excitement of the day had given birth. He was sure, that at the time the Catholic Question was under discussion, statements of quite as violent a character were sent forth, as any that had been published during the discussion of the Bill before the House. Indeed, this was one of the circumstances necessarily attendant on the freedom of discussion in this country. It was impossible for the Government to be answerable for the statements which appeared in the newspapers. The Government could not control those who might choose to take part with them in general politics. Indeed, the hon. and learned Gentleman must be aware, that one publication to which he had alluded, was not under the control of his Majesty's Government, for he would doubtless recollect, that in alluding to that publication on a former occasion, he stated that he saw by the signs of *The Times*, that that very Journal was criticising pretty severely the conduct of the Ministry. He thought that that circumstance ought to be regarded as a proof that the Government had no power to exercise any control over that paper. The Journal to which he alluded was ably written, and was very eager, undoubtedly, in its views of Reform; and it might, perhaps, in some instances, rather exceed the bounds of prudence. But he must say, that he did not think that there was much more violence in the discussions of the present day, than had been displayed at many periods within his memory, on strongly contested questions. He now believed that he had adverted to all the different points to which he wished to call the attention of the House. They were now at the close of the discussion of this Bill. "The hon. and learned Gentleman," continued the noble Lord, "has accused us of having used violent language. Now, if I were to give a description of the discussions which had taken place on this important measure, with respect to which the party feelings of Gentlemen ran very high, I should say, that they had been conducted with, comparatively speaking, very little personal violence. Undoubtedly, hard words have been used; and I think quite as much on the opposite side as on this. We have heard every epithet—but to quote violent expressions is not a good way to produce conciliation. I do not think that, upon the whole, Gentlemen on either side have great right to complain of violent language. If there have been any violent expressions employed against the Government, I am perfectly ready to forget them, and I hope and trust that Gentlemen on the other side of the House will meet me in the same spirit of conciliation." The question which had of late occupied the attention of the House was of such immense importance, whether viewed in a friendly or hostile point of view; it involved in it every interest of the country, and it was, therefore, scarcely possible for any man to form an opinion on it, without feeling very eager in favour of that opinion. He had long formed the opinion which he was pressing on the House; he had long felt it to be essential to the best interests of the country, and necessary to the contentment of the people, and the good government of this empire, that the state of the Representation of the House of Commons should be taken into consideration, with a view to ascertain whether it was not possible to render it more truly in practice than it was at present conformable to the theory of the Constitution. It appeared to him, that the measure under consideration would effect that object. It deprived those boroughs, which were so insignificant as not to be fit to return Representatives, of the power of returning them; and it gave Representatives to large manufacturing towns. It increased the county Representation much more in proportion than the town Representation; and he must, therefore, say, that the apprehension which the hon. and learned Gentleman endeavoured to excite in the minds of landed gentlemen, that the effect of the Bill would be to destroy the power of the landed interest, was perfectly chimerical. He had, indeed, been accused of quite a different object. One hon. Gentleman had stated, in the course of this discussion, that he (Lord Althorp) had contended for the division of counties, on purpose to increase the power of the landed gentlemen. What he had said was, that it might possibly increase the influence of the landed interest; but the principal argument which he had used was, that the power of the landed interest was really increased, not by the division of counties, but by doubling the number of the county Representatives, who, whether elected by whole counties or by the divisions, would equally tend to increase the power of the landed interest. He did not think that the Representatives of the landed interest were in danger of being diminished to such an extent as to render them powerless in that House. The hon. and learned Gentleman had argued as if, under the new system, no person would be found to defend the landed interests except the county Members; but the hon. and learned Gentleman seemed to forget, that one of the great objections made against Ministers for producing this Bill was, that they were about to localize Representation. In that case the Representatives of the smaller towns would be country gentlemen, and therefore there was no reason to anticipate, that the only influence of the landed interest in that House would be exercised through the medium of county Members. The noble Lord, in conclusion, stated, that being convinced that the system of Representation proposed by Government would, while it conferred that power and influence which was due to the large manufacturing districts of the country, would also give a proper share of weight to the landed interest, he had naturally been very eager for its success, and he felt greatly gratified that the Bill had now arrived at its last stage, and that the labours of that House, with regard to it, were about to conclude.

Sir *James Scarlett*, in explanation, observed, that he had never said that Trial by Jury was unpopular in this country. What he did say was, that the way to be popular was to degrade the institutions of the country; and he exemplified this by referring to the abuse of the magistracy, now so general. He had also said, that there was a party in the country, growing in strength, which was beginning to undervalue Trial by Jury.

Sir *Robert Peel* spoke to the following effect:*—Sir; At this late hour, in this exhausted state of the House, and exhausted state of the Debate, I will, if the House will lend me its attention, dismiss the notice of every subordinate and extrinsic topic, and proceed at once, without a laboured preface or superfluous apology, which only consume time, to the consideration of the capital and paramount interests that are involved in this discussion. I pass by the exciting topics of the French Revolution—I say not a word on the details of the Bill—they have been treated already with consummate ability; and of all the objections which I have to this measure, the smallest of them is—that it is impracticable. One preliminary observation I must make, in response to the sentiments declared by the Chancellor of the Exchequer. If in this debate, from this side of the House vehement or angry expressions have been occasionally used, they have been used without the desire to inflict pain on the feelings of our opponents, and if that pain has been felt, it is now shared by him who gave it. If, on the other hand, attacks of at all a personal nature have been made upon us, they are now buried in that oblivion which extends, we trust, over our own casual warmth or intemperance.

I proceed at once to those two great questions which throw all others into the shade. First, what are the motives for making the greatest practical change that was ever deliberately made in the Constitution of any country; and secondly, what are the prospects of real and substantial good to be effected by that change? When the noble Lord (Lord Althorp) told us that he was about to make a speech of more than ordinary length, I did think, notwithstanding all our past disappointments, that the time was at length arrived when his Majesty's Government would give us some satisfactory explanation on these heads—that, instead of merely repeating, that we must pass the Reform Bill—that the people require it—that we must yield to their wishes—I did expect to hear, even at this eleventh hour, first, a calm exposition of the practical evils and grievances endured by the people of England; next, a demonstration that those evils and grievances, the existence of which was so established, were fairly attributable to defects in the constitution of the Government; and lastly, that there was a reasonable prospect that the projected change in the Constitution would provide a remedy for the evil, and redress for the grievance. I have heard nothing of the kind from the noble Lord,

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* By authority, from the authentic Speech, published by Roake and Varty.

His speech was little more than a desultory answer to cavils and objections that have been made to the details of the Bill.

The noble Lord says, the Bill makes no change in the Constitution of the country—that it leaves untouched the sovereign authority, and the functions of the House of Lords; and he consoles us by telling us, that after the Bill has passed, we shall have, as we had before, the King, the Lords, and the Commons. But what avails it to retain the name and the form, if the essence and the substance be lost? Will the Crown, will the House of Lords continue to possess the legitimate independent authority which the Constitution assigns to them? If they will not, they become unsubstantial pageants, unreal mockeries, that serve no purpose but the purpose of delusion. The names and the forms are to be retained! And when was it that power was usurped—whether that usurpation was effected through the ambition of single men—of oligarchies, or of popular assemblies—when was it that names and forms were not retained? And for what purpose? Why to ensure the success of the encroachment, to avoid too violent a shock to the prejudices and feelings of the governed—to pay a dishonest homage to those instincts of our nature, which rally round ancient institutions, involuntary and unreasoning affections. What tyrant in ancient history—what successful soldier in modern times—what democratic body, aiming at the monopoly of power, has been foolish enough to neglect the outward observance of these politic decencies? Not Cromwell—not Buonaparte—not the popular assembly in France that framed the Constitution of 1791. That assembly professed their respect for monarchy, and their devotion to the person of their king, and while they did this—

> "Upon his head they put a fruitless crown,
> And placed a barren sceptre in his gripe;"

thus mocking him with the emblems of a power, the substance and reality of which were transferred to themselves. This Bill does not violate the forms of the Constitution—I admit it, but I assert, that while it respects those forms, it destroys the balance of opposing, but not hostile, powers: it is a sudden and violent transfer of an authority, which has hitherto been shared by all orders of the State in just proportions, exclusively to one. In short, all its tendencies are, to substitute, for a mixed form of Government, a pure unmitigated democracy. It may be said, and said with truth, that it is easy to assert this, as it is easy to deny it, and that mere gratuitous assertion, unaccompanied by proof, is worth nothing. Proof we cannot have—we cannot demonstrate the future consequences of new institutions—or of changes in those that exist; but this at least cannot be denied—that all great changes in government are of uncertain issue—that the tendency of popular assemblies, in an equal degree at least with other depositories of power, is to increase their own authority, and that the facilities for that increase are peculiarly great. And it does, in my opinion, admit of clear and unquestionable proof—that the effect of this Bill is, to make a most extensive change in the whole system of government—first, by a positive addition to democratic influence—and, secondly, by a removal of those checks by which such influence has been hitherto balanced and controlled. What is the character of the change we are about to make? It is not a change limited by the necessity of the case; we are not content with the destruction of nomination boroughs, but we act as if we were seeking pretences for wanton innovations—as if we preferred change, not for the good it effected, but for the principle it established. Granted, for the sake of argument, that nomination boroughs must be disfranchised—but why alter the constituency of every county, every city, every borough, without exception, in the United Kingdom? Why enact that the ancient boundaries and limits of almost every place must be changed; and why give authority to a score of roving Commissioners to make that change in every place, if they shall so think fit? These unnecessary innovations, not required by any principle of the Bill, make of themselves, quite independently of their practical operation, a change in the temper and spirit of the people; they sow the seeds of perpetual restlessness; and they involve the certain consequence—that this cannot be a final measure.

This Bill, I repeat, gives an enormous exercise to democratic influence. It does this by the character of the constituency it establishes, and by the removal of every existing check on popular passion, without the substitution of any equivalent control. We double the weight in one scale, and as if that were not sufficient to destroy the equilibrium, we make a corresponding deduction from the other. The constituency of towns is to consist of 10*l.* householders. Objections have been made to this right of voting on account of its uniformity. It certainly is not uniform. You take an absurd test of property and intelligence, and you just invert the principle on which it should be applied. In the small town, where a general right of voting might be exercised with comparative safety, you limit the right. In the small town, house-rent is low; weekly tenancies scarcely are known; and many a respectable and intelligent man occupies a house which is neither rated nor valued at 10*l.* But in the large, overgrown, manufacturing town, there, where you might with ease have constituted a very numerous, and at the same time a respectable and intelligent constituency—there, where house-rent is high, where the worst part of the Press has the greatest influence—where there is the facility for clubs and combinations—there you overbear the weight of education and property, by admitting to the right of voting every mechanic who may pay 3*s.* 10*d.* a week for his habitation. This very man, who has so little substance that his landlord will not trust him with longer than a weekly occupation, whom the Magistrates will not accept as bail, because they do not consider him in the light of a resident householder, is to have a privilege, which numbers and combination will make an exclusive one. I will do the Government the justice to admit, that they saw the danger of their own enactment; they tried to retract—they made the effort to exclude the weekly tenant—but they were soon rebuked by a higher power; were made to apologize for their inadvertence, and compelled to restore the weekly qualification, notwithstanding their admission of its danger.

Having, by the right of voting thus established, given almost a predominant weight to democracy, you studiously exclude, at the same time, every countervailing influence. In estimating the reduction of that influence, you must not look to this Bill alone, but must consider the effect of those other Bills which are to change the system of Representation in Ireland and in Scotland. In Ireland that system, as originally founded, did not overlook the necessity of guarding by special precautions the interests of property, and the interests of the Established Church, as opposed to numbers, and to the religious tenets of the majority. So modified, that system did operate, in some degree, as a practical check upon democratic influence generally. That system, though the absolute necessity of new precautions was admitted three years since—was admitted almost as a condition of the removal of Roman Catholic disabilities—is now to be totally abandoned. The Scotch Representation is to be changed; it, too, was a practical check upon democratic influence. I say not whether it was a check wisely contrived—I do not contend that it must be necessarily continued because it served that purpose—I only assert the fact, that it did operate in the manner I have described; and that the removal of that check, without the substitution of an equivalent, increases the power on which it established a certain degree of control.

The influence that was exercised by Peers, not as Peers, but as possessors of property, through the nomination boroughs, is to be utterly annihilated. So rapid is the progress of the principles to which this Bill is subservient, that doctrines that were repudiated at the commencement of this discussion are now openly maintained. It was said at first, that all that was sought was to destroy the illegitimate authority exercised by the House of Peers. It was then contended, that by the original theory of the Constitution, the two branches of the Legislature ought to be perfectly independent—that all influence exercised by the House of Lords in this House ought to be carefully excluded—and the express reason given for this exclusion was, that the Lords had a co-ordinate authority with ourselves. But now a new doctrine is maintained—a doctrine extending far beyond the present case—which teaches the House of Lords, that they, like ourselves, must conform to the popular will—that they hold no independent, authority—or, at least, that if they dare to exercise it, it is exercised at the peril of their Order—and it was reserved for this night to hear, and to hear from an officer of the Government—from a sworn legal adviser of the Crown—that there is not only a power, but a strict legal and constitutional right, to legislate without the intervention of the Lords. I am not surprised at the manifest incredulity of a great portion of the House. They did not hear the speech of the Solicitor General for Ireland, and they certainly will not believe, without having heard it, as we did, that the law officer of the Crown maintained, that if it should please the House of Commons to address the Crown to omit the writ of election to any number of places specified in the Address, the Crown would be authorized, without reference to the House of Lords, to omit the writ, and thus remodel the House of Commons at his own discretion. One exception from its principle the Solicitor General did make, but that exception was limited to Milborne Port—the nomination borough which he himself represents. His doctrine was I admit, utterly disavowed and repudiated by his colleagues—but what must be the change already made in the temper of men's minds, and their views of the Constitution, when a learned and estimable man, specially selected to advise the Crown on questions of constitutional doctrine and prerogative, can gravely and deliberately maintain, in spite of statute laws to the contrary, that the House of Lords is a cipher, and that we and our constituents, if we should displease a majority of this House, incur the risk of perpetual disfranchisement at the pleasure of the Sovereign!

There remains, as a check upon democratic influence, the influence of the Crown. That influence is already so diminished, as far as patronage is concerned, that it scarcely tells in the scale. Even the prerogative of the choice of its own Ministers, though nominally left to the Crown, is confined by this Bill within the narrowest limits. The Crown will not be able to appoint to high office any man who may maintain an unpopular opinion—who may shrink from the trouble or expense of a contested election—who may despise the arts by which popular favour is frequently acquired—or may dislike the exhibition of a hustings. The single circumstance that you make every election, without exception, a popular election, has a tendency to affect the practical working of the Government, and to diminish the authority of the Crown in respect to the choice of its Ministers, in a degree, the amount of which it is difficult to calculate.

Here I close this part of my argument, the object of which has been, to show that the substantial change made in the Constitution of this country, whatever deference there may be to forms, is one of immense and perilous extent—that it is a change entirely in favour of democratic influence, effected by the double operation of positive addition to that influence on the one hand, and the removal of all opposing and counterbalancing power on the other.

Surely there is tremendous hazard in this change—why do we incur it? Give us the satisfaction of feeling that we are justified in making this great experiment—that there are some evils, felt or impending, from which we shall escape—some good, some real and substantial good, which we may reasonably hope to attain. To repeat to us night after night, that the people demand this change, and that, whether for good or evil, it must be made, is any thing but satisfactory to a rational and dispassionate mind. We are here to consult the interests, and not to obey the will of the people, if we honestly believe that that will conflicts with those interests. It is to invert the relation of the people to their Representatives, if we are to exclude all exercise of our unfettered judgment, all calculation of probable consequences, and to yield without resistance, and against our reason, to the prevailing—perhaps the temporary—current of popular feeling. If the object sought were a definite one—if we could estimate the just extent and value of the concession—we might have the less reluctance to the grant; but we fear that our first advance will be on a declivity, that our first resting-place will not be a secure one; we fear, that the prophecies ofgood may not be realised, that we may have to contend hereafter with the suggestions of defeated hopes and mortified pride, unwilling to admit an error, too prone to attribute failure not to the extent, but to the limited character of the first innovation; and to insist on the progress of the *mouvement*, as indispensable to the accomplishment of its object. Where is the madman that would refuse compliance with these demands of the people, on any ground of private interest—of the loss of borough influence by this Peer or that great proprietor—on any ground, in short, but the honest one, of rational doubt, whether the change required is for the general and permanent good? If that doubt be sincerely entertained, it cannot be satisfactorily resolved by the vain repetition, "the people will have the Bill and you must pass it."

I propose to review those arguments in favour of this measure which have been mainly relied on in the course of the present debate. They are almost exclusively confined to one speech, the speech of the member for Calne (Mr. Macaulay), who felt that, for decency's sake, something more was wanting than a mere appeal to the number of petitions, and the general demand for the Bill—and who, from his acuteness and eloquence, was wisely selected to supply the deficiency.

One hon. Gentleman who preceded him (Mr. Hawkins, member for Tavistock,) made an observation which I will notice before I examine the argument of the member for Calne. He said in a speech, which, by the way, coming as it did from a man of great ability, and therefore considerable authority, was an example of eloquence which I hope will not captivate the Reformed Parliament. The age of concocted witticisms is past, time is too precious for laboured antitheses, and long strings of elaborate and frigid conceits. The hon. Gentleman was profuse in his attacks upon us; we do not deprecate his wrath, we only entreat him to visit us with some more intelligible and less tiresome infliction.

The hon. Gentleman argues that there are anomalies in the present system of Representation, which are revolting to reason and good sense; that there may, he admits, be anomalies in the new system; but as they are fewer in amount, and less in extent, than those discoverable in the old, therefore we who cling to the old have no right, on the score of anomaly at least, to object to the new.

I answer, in the first place, that no system of Government, no institution, must necessarily be condemned on account of apparent or even actual anomalies. A mixed government is an anomaly in the eye of him who is a professed admirer either of absolute monarchy or a pure democracy. A mixed government implies the necessity of mutual checks and controls on opposing elements. The check and control, abstractedly viewed, may be, and probably is, an anomaly; but viewed with reference to its object—to its influence on the general working of the system of which it is a part—it may not be open to condemnation—nay, so far from it, it may be an inherent part of the system, and an indispensable condition to its successful operation. The more complicated the system, the more mixed the relations which enter into the frame of it, the more caution is necessary in determining the real character and value of apparent anomalies. In the case of simple institutions—the existence of very striking anomalies—of objections, which would appear *à priori* to be insuperable—is anything but an argument for their destruction, nay, the very anomaly itself is sometimes of the essence of the institution. Not an hour since, the Chancellor of the Exchequer declared his admiration for the Trial by Jury, and was indignant with some one who doubted the love and veneration of the whole body of the people for that process of judicature. And are there no anomalies in the Trial by Jury? Conceive the case of an educated and intelligent man, versed in the principles of jurisprudence, but knowing nothing of their practical application to any state of society. Tell him there is a country, in which every question of life and death—of all heavy penal afflictions—of almost all controversies about property and civil rights—must be determined by twelve men selected by chance, each of whom calls his God to witness that he will give his verdict according to the evidence. Tell him, that in that country the twelve men, so constituted Judges, must be unanimous, that no sentence can be inflicted, no right decided without it, and that the mode of bringing about unanimity is by the process of confinement and starvation of the Judges. Will he believe that this is the system extolled by the noble Lord as perfect in practice, and endeared to a civilized and enlightened people by the actual experience of its result? Is hereditary monarchy no anomaly? "Of all forms of government," observes Gibbon, "it presents the fairest scope for ridicule. You cannot relate," he says, "without an indignant smile, that, in a country teeming with the bravest warriors and wisest statesmen, the government of a nation descends to an infant in a cradle. But," he adds, "our more serious thoughts will respect a useful prejudice that establishes a rule of succession independent of the passions of mankind; and experience overturns those airy fabrics of government, devised in the cool shade of retirement, which confer the sceptre on the most worthy, by the free and incorrupt suffrage of the whole community." It is clear, too, that an hereditary aristocracy must share the fate of hereditary monarchy, if mere anomaly and speculation, apart from experience, were to be decisive of the question of their existence.

But, says the hon. Gentleman, if there are anomalies in the old system, why may not there be anomalies in the new? There may; but we require a reason for them, and we require it the more, if the anomalies admitted into the new system are at variance with its own principles. There is this distinction between them and the old. They have no prescription to plead in their favour—they must rest for their defence on reason and reason alone; they have no hold on the feelings and affections of the heart; they have derived no charm from the mellowing hand of time. The anomalies of antiquity are to the anomalies of yesterday what the hereditary honours of a Russell or a Howard would be to mine, were I to present myself to the House of Lords with a new patent of peerage—the reward or the condition of my support of this Bill of Reform.

I return to the argument of the hon. member for Calne (Mr. Macaulay.) He says, and says justly, that we must not denounce the Reform Bill because it cannot fulfil extravagant expectations of good to be derived from it. He says, there is much evil and much distress which are beyond the reach of political institutions —that Government has no power in these days to feed the hungry with miraculous supplies from heaven, and that we must submit with patience to privations and disorders for which there is no remedy. But if all this is true of the Reform Bill, it is true of the present Constitution. There is evil—notorious and admitted evil —but the question is, not whether it exists, but what is the proportion in which it can be fairly imputed to defects in the system of Representation, and what is the prospect that Reform in the Representation will be the cure for it? The hon. Gentleman has attempted to solve this, by far the most important problem. He has not contented himself, as many others have done, with the mere argument —The people will have the Bill, and therefore it must be passed; there are anomalies, and therefore they must be removed; but he has attempted to shew, that there are actual evils and grievances resulting from the present constitution of the House of Commons, and that Reform is the proper remedy for them. Now, there is satisfaction in reasoning with an opponent who takes this as the true ground of defence of the Bill; and the hon. Gentleman is fairly entitled to demand, either an answer to his arguments, or the admission that they are well founded. Let us, therefore, take his list of practical evils, and examine whether they can be fairly imputed to the want of Reform, and whether they are likely to be removed by the grant of it.

First, says the hon. Gentleman, what we desire is, that there shall be an open field for the exertions of industry, facility for the accumulation of property, and security for the enjoyment of it when accumulated. Now, I never heard it denied, that, under the institutions by which this country has been long governed, there existed, and in a very marked degree, that facility and that security. There have been complaints of too rapid accumulation; of too great a monopoly of wealth; but I never heard the complaint, that there was any obstruction to the most successful development of industry. As for the security of property, there seems to have been in the past times at least, as much confidence on that head as there is likely hereafter to be, should the present Bill pass into a law.

The hon. Gentleman then complains of monopolies, and says a reformed Parliament will ensure the destruction of all monopolies, and the establishment of free-trade, and the removal of commercial restrictions. Why, Sir, of all the measures that for the last ten years have occupied the unreformed House of Commons, these have been the most prominent. They have been brought forward, and have been completed mainly through the exertions of those who were hostile to Reform. There has been opposition, no doubt, strenuous opposition to the progress of some of the measures that were founded on the principle of commercial freedom. When Mr. Huskisson proposed to remove the restriction on the silk manufacture, he was encountered by the most vehement opposition, and I well recollect a speech delivered by Mr. Canning, which inflicted on one of his opponents a memorable castigation, and which compared the spirit in which that opponent acted, to the same hostility to all improvement which dictated the persecution of Galileo, and worked the downfall of Turgot. But who was the opponent? Was he an Anti-reformer? No, but a strenuous Parliamentary reformer—the Gentleman (Mr. John Williams) who, only last night, made a very vehement and able speech in favour of this very Bill. There seems then no necessary connexion between the support of Reform and the support of liberal principles of commercial policy. I, with many other persons hostile to Reform, have supported those principles—I still adhere to them—unshaken in my support of them. But, suppose they have not been carried far enough—suppose the crying evil under which this country is now suffering is the want of free-trade—let me ask, is that the prevailing opinion? Is the public outcry just at present for more free-trade? Does the learned Gentleman really think that the new constituency of 10*l.* householders is precisely the class which will insist on the free importation of foreign manufactures? Will he inquire from the glove-makers of Worcester, or the ribbon-weavers of Coventry, or the persons employed in any other manufacture in any other town, whether they attribute the dulness of trade, the lowness of wages, or any one of the privations which they may occasionally suffer, to the want of more free-trade? In this case then, first, I deny the existence of the evil; and secondly, if it exist, I deny that Reform will ensure the remedy.

The next grievance to which the hon. Gentleman referred, is the want of enlightened legislation generally. He laments over the indisposition of Parliament to promote the comfort and enjoyment of the lower classes of society, and complains that the penal laws, and the laws for the security of property, are not founded on enlarged principles of jurisprudence. Now, on this head, I have some comfort to offer the learned Gentleman. The last time he spoke he was haunted by the apparition of fines and recoveries. That ghost is laid—for in this unreformed House of Commons, a bill has been brought in with very general assent, by the member for Stafford, in which fines and recoveries are treated without the slightest ceremony. And where, Sir, are the obstructions at present to the enlarged and enlightened legislation which the learned Gentleman calls for? It ought surely to originate with the King's Government. They command a large majority in this House; and the same men who support them on Reform, will no doubt support them in any measures for the improvement of the law. If there has been delay in the introduction of them, the fault rests not with the House of Commons, but with the Government. It may be said, and said with truth, that the House of Commons has been so occupied with Reform, that there has been no time for the consideration of such measures here. But the House of Lords has not been overburthened with labour. There the Government had an open field for their philosophic and benevolent exertions—there they might have easily and conveniently originated those great schemes of reform that are to promote the enjoyments of the labouring classes, and to embody the sound principles of jurisprudence. Government have not wholly lost the opportunity. While we have been engaged on Reform, the House of Lords has been considering two measures brought forward by the Government; one for regulating the consumption of beer, the other for the security of property endangered by wicked incendiaries. Here was a glorious occasion for exemplifying the new principles—for contrasting our indifference to the comforts of the poor, our ignorance of the true principles of legislation, with the liberal and enlightened policy which is to be the offspring of Reform. But what are the Lords doing? They are actually, at the instance of the present Government, correcting the excesses of our too liberal policy. We have made the trade in beer too free—we have been too enlightened—we listened to the *Edinburgh Review*—we were assured by the great advocates of improved legislation, that the consumption of beer was exactly like the consumption of bread—that as no man would eat too much bread, so no man would drink too much beer—that men are the best judges of their own interests, and, therefore, would never get drunk. It is now discovered that we were in error, and that, so far from being chargeable with stinting the comforts of the poor, and with being enamoured of restrictions on free trade, we have erred in the opposite extreme.

Now for the penal legislation, for the laws that are to secure property. The noble Lord (Lord Althorp) informed us some time since, that there were under the grave consideration of this Government, laws for giving that security, and for repressing the crime of incendiarism. I had not a doubt, that the new principles were now to be called into action, that property was to be protected, through the instrumentality of laws—sanctioned by the sage of the law (Mr. Bentham)—eschewing all severity of punishment, appealing to reason and nature, and deriving support from their conformity with the general feelings and sympathies of mankind. Really, sir, I burst out into an involuntary and incredulous laugh, when I first read, that the great measure for the security of property, that had been under the grave deliberation of the Government, was the restoration of man-traps!

I could hardly believe that this enlightened Government had been driven to the sad resource of hunting in the index of repealed Acts of Parliament, and that the only product of their united wisdom was the repeal of the Spring-gun Bill. I felt sorely for the member for Stamford (Mr. Tennyson). It was hard, that after raising a proud monument to his own character as a lawgiver, by the abolition of spring-guns—it was hard on him, that his own colleagues should undermine the foundations of that monument, and rob him of all his fame. Here was again the error of following the *Edinburgh Review.* It wrote articles indignant at the use of spring-guns — convinced the House of Commons that they ought to be abandoned:—and here is another instance wherein the Lords are obliged to correct the blunders, not of our illiberal, but of our too liberal policy. How shall we in this respect gain by Reform?

The hon. Gentleman, in speaking on this part of the question, taunted the members of the late Administration with having fled from the Government at a time of general embarrassment. Sir, if we did fly, it was not until this House gave a significant hint that it had withdrawn its confidence from us. It left us in a minority on the first proposition which we made for the maintenance of the dignity of the Crown. Our flight was not very unexpected; for I well remember, such was the eagerness for our departure, that scarcely had the division been proclaimed, when I was pressed from this side of the House to state, whether the Government did not intend forthwith to resign office? It was considered by our opponents as a matter of course, that, being in a minority on the Civil List, we had no alternative but to retire. Now, that we are out of office, we are taunted with having fled from it; but while we were in office, the charge was, that we clung to office with too much pertinacity. I very much doubt whether the moral quality of this offence—the flying from office—does not materially vary with the parties that commit it, and with the position of the men who condemn it. The learned Gentleman sitting behind his friends in the Government, denounces it as a heavy political sin. But it was not so before. It is wonderful the change that takes place in the appearance of the same identical object, when it is viewed from different quarters. Given—a Commissioner of Bankrupts as the spectator—flight from office as the object to be viewed—what will be the variation in the appearance of that object, when seen by the Commissioner from the back benches of the Opposition, and from the front benches of the Ministerial side of the House? This is a curious problem in moral optics; and as the learned Gentleman is, no doubt, a mathematician, he probably will attempt to solve it.

The hon. Gentleman says, that when we had carried the Catholic Question, and had thereby forfeited the confidence of our former supporters, our hold upon the country was lost, and our ability to carry on the Government was at an end. Why then taunt us with abandoning it? The hon. Gentleman also says, although he approves decidedly of the act, that we carried the Catholic Question against the feelings and wishes of the middle classes of the people. What, Sir, are the 10*l.* householders ever in the wrong? Are they (the new constituency) sometimes on the illiberal and intolerant side? Are there occasions when it is wise and just to oppose popular opinion, and to risk the loss of popular favour, by preferring the real interests of the people to their present wishes and demands? If this be true of one question, why may it not be true of another? Why is that doctrine, that was sound on the Catholic Question, to be scouted as absurd on Reform?

But to return to the public grievances and public calamities of which Reform is to prevent the recurrence. Reform is to prevent war. We are speaking in the sixteenth year of peace, maintained with an unreformed Parliament, and we are to reform it as a security against war. But was the last war commenced or continued against the sense of the people of this country? The learned Gentleman is himself an evidence that it was not. He wished to illustrate, by comparison, the present unanimity of the people in the cause of Reform, and he says such unanimity has not prevailed among the people of England since Bonaparte threatened us with invasion from his camp at Boulogne —this was in 1805. The country threatened with invasion must take precautions against it. The people, who are unanimous for resistance, demand defensive measures proportionate to the means of attack. The war that is thus continued is a war for existence as a nation; and it is the war of a people, and not the war of a Government, or of a corrupt, unreformed House of Commons. The truth with respect to war is this; it is very popular at its commencement, but, like a convivial entertainment, the most disagreeable part of it is the payment of the bill. Can any man doubt that, when Bonaparte returned from Elba, in 1815, the feeling and the rational conviction of this country was in favour of war. When an Address was proposed in this House—the spirit of which was decidedly warlike—it was met by an amendment, moved by Mr. Whitbread, the object of which was to deprecate war. The number that voted for that amendment, out of 658 Members, was thirty-seven. Men of all parties supported the Address. Mr. Grattan, Mr. Ponsonby, Mr. Plunkett, spoke and voted for war. Now what was the expenditure of that single year, 1815—an expenditure not at variance with, but in strict conformity with the sense and wishes of the people? It exceeded 110,000,000*l.* The Navy, Army, and Ordnance Estimates alone amounted to 54,000,000*l.** The people themselves would have hurled from their seats any Ministers that refused to make the exertions which led to the battle of Waterloo and the overthrow of the power of Bonaparte. If the people now murmur at the cost of those exertions—if they have changed their opinion as to the policy of them—if the recollection of the glorious successes of the last war is now become painful—if Trafalgar and Waterloo are odious sounds—let the people, repenting of their former enthusiasm, make good resolutions for the future, but do not let them offer up as the atonement for their own folly—if they deem it folly—the ancient institutions of their country.

This topic, and those immediately connected with it, are of all the most important. The public burthens are the chief stimulants of the cry for Reform, and they would justify the demand for it if they had been really imposed to defray profligate and useless expenses—if they had dried up the resources and exhausted the strength of the country—or if, by an unjust partition, their chief pressure was not on the rich, but on the productive and industrious classes. It cannot be denied that those burthens are heavy—but in determining their relative weight to those of other countries, it is not enough to take merely the amount of taxation in this or any other country—you must also take, in each country, the amount of the capital and wealth out of which that taxation is to be defrayed. One country may be much more heavily burthened than another, though the rate of taxation, on every necessary or luxury of life, be lighter in the one than the other.

Neither can it be denied that there may have been occasional instances of extravagance. These things must and will occur under every form of Government; but the question is, whether the great mass of the public expenditure has not been incurred, in an almost infinite proportion, for honest and necessary purposes. Has there not been also, concurrently with that expenditure, an increase of the national wealth and resources? Hear the testimony, not of Anti-reformers, but the testimony of the most competent witnesses, those witnesses being, at the same time, strenuous Reformers. Says Mr. Ricardo—"Notwithstanding the immense expenditure of the English Government during the last twenty years, there can be little doubt but that the increased production on the part of the people has more than compensated for it. The national capital has not merely been unimpaired—it has been greatly increased, and the annual income of the people, even after the payment of the taxes, is probably greater at the present time than at any former period of our history. For the proof of this we might refer to the increase of population—to the extension of agriculture—to the increase of shipping and manufactures—to the building of docks—to the opening of numerous canals—as well as many other expensive undertakings; all denoting an immense increase both of capital and annual production." So far Mr. Ricardo. Now hear the comment on this, in 1830, of Sir Henry Parnell:—"As ten years have elapsed since Mr. Ricardo wrote this opinion, and as similar proofs can be referred to, to show a continued increase of production, the conclusion is, that the national capital and income are now much greater than they were in 1819."

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* See the Annual Finance Accounts in Hansard's Parl. Deb. vol. xxxiv. p. xxiv.

But it may be said, although the expenditure was necessary—although the national resources remain unimpaired—yet the partition of the public burthens among the various classes of the people, is unequal and unjust. Hear again Sir Henry Parnell on this important point. He estimates the total amount of the taxes raised from the people at 50,000,000*l.*; of these, he says, 38,000,000*l.* are paid voluntarily, and out of the surplus income of individuals, over and above what is requisite for purchasing the necessaries of life. He adds, "that so long as 50,000,000*l.* must be raised, the above-mentioned large portion of it (38,000,000*l.*) is obtained in a way but little liable to any real objection; and if the remainder was provided by taxes of the same kind, the whole revenue would be paid without any serious injury."

Now, of the remaining 12,000,000*l.*, some part has been already remitted and modified; and what is there to prevent the present House of Commons making any remission or modification of the remainder which it may be prudent or just to make?

In those desponding views of the future, which are so frequently taken, Sir Henry Parnell does not participate. He says—"As to our future prospects—there is no reason to doubt that a continued augmentation of capital will take place, even in defiance of many obstructions. The same moral, physical, and external causes, which have contributed to the existing amount of national wealth, are still in operation. The free constitution of the Government—the exact administration of the laws—the protection afforded to foreigners, and the toleration of all religions—will produce the same effects they have hitherto done. Whatever evils press just now on our manufactures—the more we examine our situation—the more we shall find it possible to trace them to causes of a temporary character."

Here, then, is a picture, drawn by a Reformer, of this great and powerful country. Some temporary causes of distress—but those causes sure to be dissipated by the more powerful operation of permanent causes of posperity—a free Constitution—laws exactly administered—protection to foreigners—perfect religious toleration. How can this Reformer, on his own shewing, with any semblance of justice, expect me to assent to the reasonableness of the change which he proposes under the name of Reform?

Here I conclude this part of the argument. I have attempted to show, that there do not exist any such practical grievances—any such insecurity of the blessings we have actually enjoyed—as would warrant us in incurring the risk of so extensive an alteration in the Constitution of the country as that proposed—that of the admitted evils which we suffer, none are fairly attributable to the state of the Representation; and that this measure of Reform is not, for those evils, the effectual and appropriate remedy. If no practical grievance calls for the change—if we are to make it merely that we may gratify the wishes of the people, or may conform to some more plausible theory of Government—in that case I foresee no stability in the conduct of public affairs—nothing but a series of future changes. The same practical evils will continue to be endured. The people, disappointed in their expectations of relief, will call for new experiments; and what is it to be opposed to the demand? What argument used against the present state of Representation, will not be urged with equal force against that which is about to be established? Those who attack the present fortress, will soon be the garrison of that by which they replace it. It behoves them, before they leave the entrenchments from which their successful assault has been made, to spike their guns, and carefully to remove every instrument of offence which has contributed to their victory; for be assured that there is not one that will not be directed against themselves—there is not a missile, from the heaviest to the meanest, from the largest shell to the smallest sparrow-shot, which has been discharged in the present conflict against this House of Commons, that will not be discharged against its successor. If any exception be made—if any instrument of offence be left behind—let it be the unlucky detonator which was used to-night by the Solicitor General for Ireland, the recoil of which is fatal to the hand that fires it. All the quotations of the noble Lord (Lord John Russell) from the Statute *de Tallagio non Concedendo*—his doctrine that Representation ought to be co-equal with taxation—that those who contribute to the taxes ought to vote for them—are good, not for confining the right of voting to 10*l.* householders, but for extending it, at least, to all inhabitant householders who are competent to bear their share of general and local burthens. The argument of the Attorney General, that the more you multiply the number of voters, the greater is the security against the influence of corruption, will be appealed to in favour of a more popular right of suffrage. What is the objection that you—the advocates of this Bill—can make to the extension of it? Surely you will not then exclaim that the people are not the best judges of their own interests? You will not say that resident householders, who occupy houses below the value of 10*l.*, cannot be trusted with the elective franchise? You will not impute to them any desire to convert that franchise to purposes dangerous to the State? I repeat it, your own arguments are conclusive against the stability and permanence of the arrangement you are about to make.

I wish not much longer to trespass on the time and patience of the House. I thank them for the indulgent attention with which they have heard me. I have been desirous, in this last stage of its progress, to detail the grounds on which I shall continue that opposition to this Bill which I offered on its first appearance. I am not blind to the difficulties and dangers by which we are environed. I know not whether there has been a decided re-action in the public mind with respect to the merits of this Bill; but I cannot deny that it has been received with so much favour out of doors, and has met with such support within, that it is incumbent upon every man to reconsider his first impressions, and maturely to compare present difficulties with those that are future and contingent. Let the people also reconsider their first impressions; let them also—now that the first intoxication of enthusiasm has passed away—let them, while there is yet time, apply their calm and serious thoughts to the events that are passing in other countries, and estimate the full extent of that risk, by which extensive changes in government are accompanied.

Let them look at France, and compare its present condition, in respect to the ease and comfort of the middling and industrious classes of society, with its condition, in the same respect, before the Revolution of July, 1830. I ask the people of this country not to refuse their sympathy with those who resisted illegal acts of power—I only ask them, admitting the justice, admitting the necessity of resistance—to reflect on the difficulty of reconstructing that which has been destroyed. What are the obstacles to the re-establishment of order and tranquillity in Paris? Why is it that peace is with difficulty preserved, not by the regular operation of the laws, but through the constant intervention of an armed force? Why is it that the National Guard has one hand on the sword, while they wield with the other the implements of their daily industry? The French have the Monarch of their own choice—the party of the exiled Sovereign offers no impediment—the Government has been held by the authors and patrons of the Revolution—philosophers and friends of liberty have had the fullest scope for their exertions; whence all the restlessness—want of confidence—want of employment—that cause the periodical disorders of Paris? It arises from this—that the minds of men have been unsettled on the principles of government—that habits of obedience have been interrupted—that the magic lamp of which the noble Lord (Lord John Russell) once knew the influence, has been extinguished, and cannot be relumed.

If foreign warnings will not suffice, look at home: see if there are no indications, even before the actual coming of Reform, of its probable consequences. These great changes in government cannot be made without such indications—they are events that cast their shadows before. Though the great luminary, moving in an eccentric orbit, has not yet appeared above the horizon, there is a glimmering twilight by which you may judge whether its advent will be baleful or propitious.

What has been the influence of the promised Reform on the industry of the people, on their habits of obedience, on the action of the Government? Is there increased confidence in commercial dealings—is there a greater demand for the products of industry—a greater application of capital to the encouragement of it, or a stronger feeling of security in the quiet possession of property? Inquire from the retail dealers of this metropolis—from the very class which is to acquire new influence and increased power in the State—ask them whether their present experience of the bearing of Reform upon their own peculiar trades and occupations is very encouraging? I discover no indications that the influence of Reform upon the character and actions of Government will be for the advantage of the country. I see, indeed, that it will multiply, in an extraordinary degree, the power that is exercised by the daily Press; and unpopular as may be the avowal, I do avow that I foresee no benefit from that increase. Oh, it is said, you want to shackle the Press with new fetters! I want no such thing: but seeing that that Press exercises enormous and irresponsible power; seeing that its most successful appeals are to the passions, and not to the reason of mankind; that it has the means of rousing the impatience of the multitude against every restraint which is necessary for the purpose of good government; I do object to a measure, the tendency of which is to submit, in a still greater degree, the conduct of public affairs to the influence and direction of the Press. Of late, the Press has spoken with a new authority. Whether right or wrong, the general impression is, that it occasionally conveys the sentiments, and speaks in the name of the Government. If no such connexion exists, the public mind should be disabused—it should not be left under an impression, fatal to the public peace—that the scandalous menaces by which it is sought to intimidate the House of Lords—that the appeals to the army, encouraging mutiny and resistance to the constituted authorities of the State, are encouraged or connived at by those who possess the confidence of the Crown. When, in this House, I hear members of the Government, the legal advisers of the Crown, claiming for the House of Commons, and the Crown, the right to remodel the Constitution of one branch of the Legislature, without reference to the House of Lords—when I hear those who speak with the authority of the Government, bid the House of Lords to take warning by the ruined chateaux and pillaged halls of the nobility of France, and to legislate for their country, not on the principles of a calm and dispassionate consideration of the general interests, but under the menace of personal vengeance—I lament the folly of those who are raising every impediment they can to the accomplishment of their own object; and I inquire with just alarm, whether these are the doctrines and the principles which are to be encouraged and established by Reform?

If, Sir, the people of England, after meditating on these things—on the condition of foreign States—on the signs and indications at home of the probable consequences of this measure of Reform, still insist on its completion,—their deliberate resolve, will no doubt, ultimately prevail. I shall bow to their judgment with the utmost respect; but my own opinions will remain unchanged. To all the penalties of maintaining those opinions—the incapacity for public service—the loss of popular favour—the withdrawal of public confidence—I can and must submit. The people have the power and right to inflict them; but they have neither the power nor the right to inflict that heavier penalty—of involving me in their responsibility—of making me an instrument for accomplishing an act—by which we, the life-renters of those institutions, that have made our country the freest, the happiest, the most powerful nation of the universe, are to cut off from those who are to succeed us the inheritance of what we ourselves enjoyed.

Lord *John Russell* spoke as follows: In rising to undertake the difficult duty now imposed upon me, I have the pleasure to congratulate the House on the tone in which this debate has been conducted—for when I consider the long-established interests which the present measure threatens to overturn, can I complain that more anger has been expressed than it was natural to feel on such an occasion? though it was our duty to consider the public and paramount interests of the country, in preference to any partial or private regards.

The right hon. Gentleman who has just sat down, began his eloquent speech by declaring, that with such a House of Commons as we propose to make, the power of the other orders of the State will be "an unreal mockery." But if the very apprehension of such a result produces so much indignation, cannot the right hon. Gentleman imagine that the people may have felt aggrieved when they saw the House of Commons called Representatives of the people, not so in fact; assuming to be "the same with the Commons at large" but, in fact, having a separate origin, separate interests, separate opinions, separate desires?

That this House does not, in fact, fairly represent the people, has been, in these debates, hardly denied. An hon. and learned friend of mine, who commenced this debate, has adverted to a proof of the fact which I formerly gave, by analyzing the divisions. My hon. and learned friend, who, observing the rule of Horace, has kept his answer nine years by him before he gave it to the public, has said, that I assumed, that one side was right and the other wrong—I beg his pardon—I assumed no such thing; I assumed only that county Members represented the people, more than the Members for close boroughs; and by showing that the first class of Members were constantly in a minority, I ascertained the fact, that this House did not represent the people.

The right hon. Gentleman says, this measure has been introduced without necessity; I am astonished at such an assertion. If there were no necessity for Reform, why did the Duke of Wellington and his colleagues resign? Was it not expressly on the ground that Parliament and the country insisted on Reform, with a voice not to be withstood?

But, perhaps it is only meant that there was no necessity for a measure of so great an extent. Let it be remembered, however, that the demand for Reform had increased with resistance, and that a trifling change, in answer to a deep and general call, would have been mocking the expectations of the people. I have been accused, personally, of inconsistency, in proposing so large a measure. I cannot better illustrate my own views than by taking the example of a building; an architect will often tell you, "If you repair your house immediately, it may be made to last, without much alteration, but if you delay it, the whole building must be taken down." I have advised repairs, when gradual repairs were possible and expedient · my opponents now say, "We omitted what was necessary; the tempest has carried away our roof, and the wind drives through our chambers; you may now attempt the repairs you formerly recommended." My answer is, "It is too late; your neglect has caused this ruin; I warned you of the consequence; I now advise a more complete restoration, and if you delay it, your whole edifice will be in danger." Is there anything inconsistent in such language?

The right hon. Gentleman has alluded to attempts which he says are made, to intimidate the House of Lords; others who spoke before him, went further: but what do they mean by intimidation? Do they not seek to confound the personal honour of a Gentleman, with the public duty of a member of the Legislature? Do they not endeavour to excite the high spirit of private character, in contradiction to the more sober feelings of public duty? To yield to personal fear is unworthy, contemptible, and base; but to fear for the public welfare, for the public tranquillity, is the part of deliberative wisdom—nor need I go far for an example. In 1828 the Peers of England rejected the claims of the Roman Catholics by a great majority: in 1829 a full concession of those claims was proposed to them by the Duke of Wellington. By what reasons did he urge their concession? Did he appeal to any of those arguments of religious freedom, of political right, of eternal justice, which Fox and Pitt, and Grattan and Canning had enforced with so much eloquence, and yet in vain, to assembled Senates? By no means; he detailed to them his fears for the public peace; he related the outrages which had taken place, described the disorders of society in Ireland, and pointed out the dangers of further resistance: after this history, and these harangues, he declared, with memorable emphasis, that he would rather sacrifice his life than expose to the evils of civil war, even for one month, any country to which he was attached. What said the Peers of England? Did they reply indignantly, "We will not sacrifice our consistency—we will not sacrifice the Protestant Constitution to your fears: our patrician pride—our solemn engagements—our regard for our own characters, oblige us to reject your proposition, and we leave to you the responsibility of the event?" No; the Peers of England had too much real patriotism to indulge in this manner a false honour: conscious of their own courage, a courage to defy the miserable taunts by which it was sought to deter them from their course —looking to the actual state of Ireland, and not to their own recorded votes—providing for the peace of their country, and not aiming at the glory of a fatal firmness —they acknowledged the fear which a

General who had exposed his life thousands of times for his country, was not ashamed to avow—and while they revered the brow which was adorned by the laurel, they blessed the hand which held forth the olive branch. May we not lose the benefit of this example! Now, when the peril is not in Ireland, but around us, in our own homes, and on every side, unknown in its nature, and indefinite in its extent, may the Peers of England not forget the prudence of their former conduct! Assuredly they have it in their power to disregard the recommendation of the Crown, to despise the acts of the House of Commons, and to trample on the petitions of the people. But should such be their resolve, they will ill fulfil the charge of preserving harmony among the different branches of our Legislature, which our Constitution has imposed on them, and by the fulfilment of which they obtain the respect they now enjoy.

Let me, however, address some words to those who are the advisers of the people upon this occasion. I trust they will on no account encourage any acts of illegality. The derangement of a country like this, even for a short time, is an incalculable evil. Let those who would pursue such courses, be assured that they are unnecessary. With a House of Commons elected by a stronger popular feeling than any that has been seen for fifty years, they may rest satisfied that the passing of this Bill cannot long be delayed. Let them rely, therefore, on those whom they have charged with their interests, and not begin a resistance to law, by which the whole peace and tranquillity of the country may be endangered. Let them be confident that the House of Commons is not without power, when acting in conjunction with the Crown, to obtain the satisfaction of demands which are founded in justice, supported by reason, and rendered imperative by necessity.

The right hon. Gentleman has alluded to the present state of France. Does any man doubt, that a revolution is in itself to be deplored? That daily tumults, the suspension of trade, the insecurity of Government, are evils to be, if possible, avoided? But, on the other hand, does any man hesitate as to the cause of the late Revolution in France? Was it not clearly to be traced to the open violation of the liberties of an enlightened nation, guaranteed by the oaths of a sovereign who held his crown by the same tenure? And as foreign affairs have been alluded to, may I not ask, why my noble friend near me (Lord Palmerston) is obliged to pass laborious days, and anxious nights, to obtain the settlement of Belgium? Why the fortresses, erected at enormous expense, are now to be demolished, with the consent of all the Powers of Europe? For what reason but this—that the negotiators of 1815 raised their barriers on the soil, instead of planting their security in the mind of Belgium?

It has been said, and said with truth, that there is a tendency in the present time towards democracy. But there is a much greater tendency to make the natural and solid interest of nations predominate over the force of arms, and the watch-words of faction. It is by opposing this direction that a government runs the risk of subversion; it is by consulting and guiding it, that the danger of transition (the only danger of our present course) may be passed over, and the security of our ancient institutions confirmed. Our engagement is, to make such a Reform as shall be consistent with the prerogatives of the Crown, and the authority of the other House of Parliament; this engagement we have sought to fulfil, and by it we are determined to abide.

Mr. *Hunt* rose amidst loud cries of "Question." He wished the Government had more explicitly and decidedly disclaimed the language of certain papers which tended to excite the people to rebellion in the event of the Bill not passing, and to withdraw the military from their duty. He had no expectation that this Bill would ultimately pass, yet he did not expect that any such consequences as those proclaimed by the Press would attend its rejection. The people took by no means so warm an interest in the fate of the Bill as they at first did. Let hon. Members look to the Common-hall held the other day. He himself was a Liveryman, and he could say, that never were there such exertions to get together a Common-hall; never was there so much solicitation; never was so much money expended in advertisements and placards. Yet what was the result of these unusual exertions? The result was a very small Common-hall, and that out of 16,000 or 17,000 liverymen not so much as 1,000 attended the meeting. He was indeed told by an Alderman, that not more than 500 were present. Then again as to the meeting at Westminster this day. He would put it to the hon. Baronet (Sir Francis Burdett) whether he had ever seen so small a meeting of the inhabitants. Their numbers were about 150,000, and of these not more than 1,000 appeared at the meeting. The people he knew were not satisfied with this Bill, nor was he satisfied with it. He would, however, vote for it, reserving to himself the right of petitioning the House of Lords to alter certain clauses of it.

Mr. Alderman *Wood* rose to answer one of the statements of the hon. member for Preston. That hon. Member had talked about the attendance at the Common-hall; but what of that? Were not all the Wards of the City meeting to support the Bill; meeting he might say, almost at this very moment?

The House then divided on the motion, that this Bill do pass: Ayes 345; Noes 236;—Majority 109.

LIST OF THE DIVISION.

MAJORITY.

ENGLAND.

Adeane, Henry John .. *Cambridgeshire*
Althorp, viscount .. *Northamptonshire*
Anson, sir George .. .. *Lichfield*
Anson, hon. George .. *Yarmouth*
Astley, sir J. Dugdale, bt. .. *Wiltshire*
Atherley, Arthur .. *Southampton*
Baillie, John Evan .. *Bristol*
Bainbridge, Edward T. .. *Taunton*
Barham, J. .. .. *Stockbridge*
Baring, sir T. B., bt. .. *Wycombe*
Baring, F. T. .. *Portsmouth*
Barnet, Charles J. .. .. *Maidstone*
Bayntun, S. A. .. .. *York*
Benett, John .. .. .. *Wiltshire*
Bentinck, lord George .. *King's Lynn*
Berkeley, capt. .. .. *Gloucester*
Bernal, Ralph .. .. .. *Rochester*
Biddulph, Robert M. .. *Denbigh*
Blake, sir Francis, bt. .. *Berwick*
Blamire, William .. *Cumberland*
Blount, Edward .. .. *Steyning*
Blunt, sir R. Charles, bt. .. *Lewes*
Bouverie, hon. Dunc. P. *New Sarum*
Bouverie, hon. P. P. .. *Downton*
Brayan, Thomas .. .. *Leominster*
Briscoe, John I. .. .. .. *Surrey*
Brougham, J. .. *Winchelsea*
Buck, Lewis W. .. .. .. *Exeter*
Bulkeley, sir R. B. W. .. *Beaumaris*
Buller, James W. .. .. *Exeter*
Bulwer, Henry L. .. .. *Coventry*
Bulwer, E. L. .. .. *St. Ives*
Bunbury, sir Henry E. .. *Suffolk*
Burdett, sir F., bt. .. *Westminster*
Burrell, sir C. M., bt.. .*New Shoreham*
Burton, Henry .. .. *Beverley*
Buxton, Thos. Fowell .. *Weymouth*
Byng, George .. .. .. *Middlesex*
Calcraft, Granby H. .. *Wareham*
Calley, Thomas .. .. *Cricklade*
Calvert, C. .. .. .. *Southwark*
Calvert, Nicolson .. *Hertfordshire*
Campbell, John .. .. *Stafford*
Canning, sir S. .. .. *Stockbridge*
Carter, J. B. .. .. *Portsmouth*
Cavendish, Henry F. C. .. *Derby*
Cavendish, Chas. C. *Yarmouth, I. of W.*
Chaytor, W. R. C. .. .. *Durham*
Chichester, John P. B. .. *Barnstaple*
Clive, Edward B. .. .. *Hereford*
Cockerell, sir C., bt. .. *Evesham*
Colborne, Nich. W. R. .. *Horsham*
Cradock, Sheldon .. .. *Camelford*
Crampton, P. C. .. *Milborne Port*
Creevey, Thomas .. .. *Downton*
Currie, John .. .. *Hertford*
Curteis, Herbert B. .. .. *Sussex*
Davies, T. H. H. .. .. *Worcester*
Denison, Wm. Joseph .. .. *Surrey*
Denison, J. E. .. *Nottinghamshire*
Denman, sir Thomas .. *Nottingham*
Duncombe, Thomas S. .. *Hertford*
Dundas, sir R. L., bt. .. *Richmond*
Dundas, hon. John C. .. *Richmond*
Dundas, hon. Thomas .. *York*
Dundas, Charles .. .. *Berkshire*
Easthope, John .. .. .. *Banbury*
Ebrington, viscount .. *Devonshire*
Ellice, Edward .. .. *Coventry*
Ellis, Wynn .. .. .. *Leicester*
Etwall, Ralph .. .. *Andover*
Evans, William .. .. .. *Leicester*
Evans, William B. .. .. *Leominster*
Evans, de Lacy .. .. .. *Rye*
Ewart, W. .. .. .. *Liverpool*
Fazakerley, J. N. .. *Peterborough*
Fellowes, H. A. W. .. *Andover*
Fitzroy, lord James .. .. *Thetford*
Fitzroy, C. A. .. *Bury St. Edmund's*
Foley, hon. Thomas H.. .*Worcestershire*
Foley, John H. H. .. .. *Droitwich*
Folkes, sir W. J. H. B., bt. .. *Norfolk*
Fordwich, lord .. .. *Canterbury*
Foster, James .. .. *Bridgenorth*
Fox, lieut.-colonel .. .. *Calne*
Gisborne, Thomas .. .. *Stafford*
Godson, Richard .. .. *St. Alban's*
Gordon, Robert .. .. *Cricklade*
Graham, rt. hon. sir J. R. G. *Cumberland*
Graham, sir Sanford .. *Ludgershall*
Grant, rt. hon. Robert .. *Norwich*
Greene, T. G. .. .. *Lancaster*
Grosvenor, lord Robt. .. *Chester*
Grosvenor, earl .. *Cheshire*
Guise, sir E. B. bt. .. *Gloucestershire*
Gurney, Richard H. .. *Norwich*
Handley, W. F. .. .. *Newark*
Harcourt, G. G. V. .. *Oxfordshire*
Harvey, Daniel W. .. .. *Colchester*
Hawkins, J. H. .. .. *Tavistock*
Heathcote, Gilbert J. .. *Boston*

Heneage, George F.	*Lincoln*
Heron, sir Robert, bt.	*Peterborough*
Heywood, Benjamin	*Lancashire*
Hobhouse, sir John Cam.	*Westminster*
Hodges, Thomas L.	*Kent*
Hodgson, John	*Newcastle-upon-Tyne*
Horne, sir W.	*Newtown*
Hoskins, Kedgwin	*Herefordshire*
Howard, Philip Henry	*Carlisle*
Howard, hon. William	*Morpeth*
Howick, lord	*Northumberland*
Hudson, Thomas	*Evesham*
Hughes, William H.	*Oxford*
Hughes, colonel	*Grantham*
Hume, Joseph	*Middlesex*
Hunt, Henry	*Preston*
Ingilby, sir W. A., bt.	*Lincolnshire*
James, William	*Carlisle*
Jerningham, hon. Hen. V.	*Pontefract*
Johnstone, sir J. V. B.	*Yorkshire*
Jones, J.	*Carmarthen*
Kemp, Thos. Read	*Lewes*
King, Edward B.	*Warwick*
Knight, Robert	*Wallingford*
Labouchere, Henry	*Taunton*
Langston, James H.	*Oxford*
Langton, W. Gore	*Somersetshire*
Lawley, Francis	*Warwickshire*
Lee, John L.	*Wells*
Lefevre, Charles S.	*Hampshire*
Lemon, sir Charles	*Cornwall*
Lennard, Thomas B.	*Maldon*
Lennox, lord Arthur	*Chichester*
Lennox, lord William P.	*King's Lynn*
Lennox, lord John Geo.	*Sussex*
Lester, Benjamin Lester	*Poole*
Littleton, Edward John	*Staffordshire*
Lopez, sir R. F., bt.	*Westbury*
Lumley, John S.	*Nottinghamshire*
Lushington, Dr.	*Ilchester*
Maberly, John	*Abingdon*
Maberly, W. L.	*Shaftesbury*
Macaulay, Thomas B.	*Calne*
Macdonald, sir James, bt.	*Hampshire*
Mackintosh, sir J.	*Knaresborough*
Mangles, James	*Guildford*
Marjoribanks, Stewart	*Hythe*
Marryatt, Joseph	*Sandwich*
Marshall, William	*Beverley*
Martin, John	*Tewkesbury*
Mayhew, W.	*Colchester*
Milbank, Mark	*Camelford*
Mildmay, Paulet St. John	*Winchester*
Mills, J.	*Rochester*
Milton, lord	*Northamptonshire*
Moreton, hon. H. F. G.	*Gloucestershire*
Morpeth, viscount	*Yorkshire*
Morrison, James	*Ipswich*
Mostyn, Edward M. L.	*Flintshire*
Newark, lord	*East Retford*
Noel, sir Gerard N., bt.	*Rutlandshire*
North, Frederick	*Hastings*
Norton, hon. Charles F.	*Guildford*
Nowell, Alexander	*Westmoreland*
Nugent, lord	*Aylesbury*
Offley, Foster C.	*Chester*
Ord, William	*Morpeth*
Osborne, lord F. G.	*Cambridgeshire*
Owen, sir John, bt.	*Pembrokeshire*
Owen, Hugh O.	*Pembroke*
Paget, sir Charles	*Caernarvon*
Paget, Thomas	*Leicestershire*
Palmer, Charles	*Bath*
Palmer, C. F.	*Reading*
Palmerston, visct.	*Bletchingly*
Paine, sir Peter, bt.	*Bedfordshire*
Pelham, hon. C. A. W.	*Lincolnshire*
Pendarvis, Edw. W. W.	*Cornwall*
Penleaze, John S.	*Southampton*
Penrhyn, Edward	*Shaftesbury*
Pepys, C. O.	*Higham Ferrars*
Petit, Louis H.	*Ripon*
Petre, hon. Edward R.	*Ilchester*
Phillipps, sir R. P., bt.	*Haverfordwest*
Phillips, Charles M.	*Leicestershire*
Philips, George Richard	*Steyning*
Polhill, Frederick	*Bedford*
Ponsonby, hon. Will.	*Poole*
Portman, Edw. Berkeley	*Dorsetshire*
Powell, W. E.	*Cardiganshire*
Poyntz, W. S.	*Ashburton*
Price, sir Robert, bt.	*Herefordshire*
Protheroe, Edward	*Bristol*
Pryse, Pryse	*Cardigan*
Ramsbottom, John	*Windsor*
Ramsden, John Charles	*Yorkshire*
Rickford, William	*Aylesbury*
Rider, Thomas	*Kent*
Robarts, W. Abraham	*Maidstone*
Robinson, sir George, bt.	*Northampton*
Robinson, George H.	*Worcester*
Rooper, John B.	*Huntingdonshire*
Rumbold, Charles E.	*Yarmouth*
Russell, lord John	*Devonshire*
Russell, Charles	*Reading*
Russell, Robert G.	*Thirsk*
Sanford, E. A.	*Somersetshire*
Scott, sir Edward D.	*Lichfield*
Sebright, sir J. S., bt.	*Hertfordshire*
Skipwith, sir Gray	*Warwickshire*
Slaney, Robert A.	*Shrewsbury*
Smith, John	*Buckinghamshire*
Smith, John Abel	*Chichester*
Smith, George R.	*Midhurst*
Smith, Martin T.	*Midhurst*
Smith, Vernon	*Northampton*
Smith, hon. Robert J.	*Wycombe*
Spencer, hon. F.	*Worcestershire*

Stanhope, R. H.	*Dover*
Stanley, lord	*Lancashire*
Stanley, hon. Edw. G. S.	*Windsor*
Stanley, J.	*Hindon*
Stephenson, H. F.	*Westbury*
Stewart, P. M.	*Lancaster*
Strickland, George	*Yorkshire*
Strutt, Edward	*Derby*
Stuart, lord Dudley C.	*Arundel*
Stuart, ld. Pat. J. H. C.	*Cardiff*
Surrey, earl of	*Horsham*
Tavistock, marquis of	*Bedfordshire*
Tennyson, C.	*Stamford*
Thicknesse, Ralph	*Wigan*
Thompson, William	*London*
Thompson, Paul B.	*Wenlock*
Thomson, rt. hon. Charles P.	*Dover*
Throckmorton, R.	*Berkshire*
Tomes, John	*Warwick*
Torrens, Robert	*Ashburton*
Townshend, lord C. V. F.	*Tamworth*
Troubridge, sir E. bt.	*Sandwich*
Tynte, Chas. K. K.	*Bridgewater*
Tyrell, Charles	*Suffolk*
Venables, William	*London*
Vere, Jas. J. Hope	*Newport, I. of W.*
Vernon, hon. George J.	*Derbyshire*
Vernon, hon. G. H.	*East Retford*
Villiers, Frederick	*Saltash*
Villiers, T. H.	*Bletchingly*
Vincent, sir Francis, bt.	*St. Alban's*
Waithman, Robert	*London*
Walrond, Bethel	*Saltash*
Warburton, Henry	*Bridport*
Warre, John A.	*Hastings*
Wason, Rigby	*Ipswich*
Waterpark, lord	*Knaresborough*
Watson, hon. Richard	*Canterbury*
Webb, E.	*Gloucester*
Wellesley, hon. Will. P. T. L.	*Essex*
Western, Charles Callis	*Essex*
Weyland, major R.	*Oxfordshire*
Whitbread, Wm. Henry	*Bedford*
Whitmore, Will. Wolr.	*Bridgenorth*
Wilbraham, George	*Cheshire*
Wilde, Mr. Serjeant	*Newark*
Wilks, John	*Boston*
Williams, William A.	*Monmouthshire*
Williams, John	*Winchelsea*
Williams, sir Jas. bt.	*Carmarthenshire*
Williamson, sir Hedw.	*Durham*
Willoughby, sir H.	*Yarmouth, I. of W.*
Winnington, sir T. E., bt.	*Droitwich*
Wood, Matthew	*London*
Wood, John	*Preston*
Wrightson, W. B.	*Hull*
Wrottesley, sir J., bt.	*Staffordshire*

SCOTLAND.

Adam, Charles	*Clachmannan*
Agnew, sir Andrew, bt.	*Wigtonshire*
Campbell, Walter F.	*Argyleshire*
Dixon, Joseph	*Renfrew*
Ferguson, Robert	*Dysart*
Ferguson, Rob. C.	*Kirkcudbright*
Gillon, William D.	*Lanark*
Grant, rt. hon. C.	*Inverness-shire*
Jeffrey, rt. hon. F.	*Forfar*
Johnston, Andrew	*Crail*
Johnston, James	*Inverkeithing*
Johnstone, John J. H.	*Dumfries-shire*
Loch, J.	*Kirkwall*
Mackenzie, J. A. S.	*Ross-shire*
M'Leod, R.	*Sutherlandshire*
Ross, Horatio	*Aberdeen*
Sinclair, George	*Caithness-shire*
Stewart, sir Mich. S. bt.	*Renfrewsh.*
Trail, George	*Orkneyshire*

IRELAND.

Acheson, visc.	*Armaghshire*
Belfast, earl of	*Antrimshire*
Bernard, Thomas	*King's County*
Blackney, Walter	*Carlowshire*
Boyle, lord	*Corkshire*
Boyle, hon. John	*Cork*
Brabazon, lord	*Dublinshire*
Browne, John	*Mayo*
Browne, Dominick	*Mayo*
Brownlow, Charles	*Armaghshire*
Burke, sir John, bt.	*Galwayshire*
Callaghan, Daniel	*Cork*
Chapman, Montague L.	*Westmeath*
Chichester, sir Arthur, bt.	*Belfast*
Clifford, sir A.	*Bandon Bridge*
Coote, sir Chas. H., bt.	*Queen's County*
Copeland, Alderman	*Coleraine*
Doyle, sir J. M.	*Carlowshire*
Fitz-Gibbon, hon. Rd.	*Limerickshire*
French, Arthur	*Roscommonshire*
Grattan, James	*Wicklowshire*
Grattan, H.	*Meath*
Hill, lord George A.	*Carrickfergus*
Hill, lord Arthur	*Downshire*
Hort, sir J. W., bt.	*Kildare*
Howard, R.	*Wicklowshire*
Hutchinson, John H.	*Tipperary*
Jephson, C. D. O.	*Mallow*
King, hon. Robert	*Corkshire*
Lamb, hon. George	*Dungarvon*
Lambert James S.	*Galwayshire*
Lambert, Henry	*Wexfordshire*
Leader, Nicholas P.	*Kilkenny*
Macnamara, William N.	*Clare*
Mullins, Frederick W.	*Kerry*
Musgrave, sir Richard	*Waterfordshire*

O'Connell, Maurice D.	*Clare*
O'Connell, Daniel	*Kerry*
O'Connor, Don	*Roscommon*
O'Ferrall, Richard M.	*Kildareshire*
O'Grady, hon. Standish	*Limerickshire*
Ossory, earl of	*Kilkennyshire*
Parnell, sir H. B., bt.	*Queen's County*
Ponsonby, hon. George	*Youghall*
Power, Robert	*Waterfordshire*
Russell, John	*Kinsale*
Ruthven, Edward S.	*Downpatrick*
Sheil, R. L.	*Louthshire*
Walker, Charles A.	*Wexford*
Westenra, hon. H. R.	*Monaghansh.*
Wyse, Thomas	*Tipperary*

TELLERS.

Kennedy, Thomas Francis	*Ayr*
Wood, Charles	*Wareham*

MINORITY.

ENGLAND.

A'Court, Edw. Henry	*Heytesbury*
Alexander, Josias	*Old Sarum*
Alexander, J. Dupré	*Old Sarum*
Antrobus, Gibbs Crawf.	*Plympton*
Apsley, lord	*Cirencester*
Arbuthnot, colonel	*Tregony*
Ashley, lord	*Dorchester*
Ashley, hon. John	*Gatton*
Astell, William	*Bridgewater*
Atkins, John	*Arundel*
Baldwin, Charles B.	*Totness*
Bankes, George	*Corfe-Castle*
Bankes, William John	*Marlborough*
Baring, Henry B.	*Callington*
Baring, Alexander	*Thetford*
Barne, Frederick	*Dunwich*
Bastard, John	*Dartmouth*
Beckett, sir John bt.	*Haslemere*
Beresford, Marcus	*Berwick*
Best, hon. William S.	*St. Michael*
Boldero, F. G.	*Chippenham*
Bradshaw, James	*Brackley*
Brogden, James	*Launceston*
Brudenel, lord	*Fowey*
Buller, sir Antony	*West Looe*
Burge, W.	*Eye*
Burrard, George	*Lymington*
Buxton, John Jacob	*Bedwyn*
Capel, John	*Queenborough*
Cecil, lord Thomas	*Stamford*
Chandos, marquis of	*Buckinghamshire*
Cholmondeley, lord H.	*Castle Rising*
Churchill, lord Charles S.	*Woodstock*
Clinton, Clinton J. F.	*Aldborough*
Clive, viscount	*Ludlow*
Clive, hon. Robert H.	*Ludlow*
Clive, Henry	*Montgomery*
Cockburn, sir G.	*Plymouth*
Constable, sir Thos. A. C.	*Hedon*
Courtenay, rt. hon. T. P.	*Totness*
Curzon, hon. Robert	*Clitheroe*
Cust, hon. Edward	*Lostwithiel*
Cust, hon. Peregrine F.	*Clitheroe*
Dawkins, James	*Wilton*
Dawson, rt. hon. G. R.	*Harwich*
Dering, sir E. C. bt.	*Romney*
Dick, Quintin	*Maldon*
Domville, sir C.	*Plympton*
Douro, marquis of	*Aldeburgh*
Dowdeswell, John Edm.	*Tewkesbury*
Drake, Thomas T.	*Agmondesham*
Drake, William T.	*Agmondesham*
Dugdale, William S.	*Bramber*
East, James B.	*Winchester*
Eastnor, viscount	*Hereford*
Eliot, lord	*Liskeard*
Encombe, viscount	*Truro*
Estcourt, T. H. S. B.	*Marlborough*
Estcourt, Thos. G. B.	*Oxford Univ.*
Fane, hon. Henry S.	*Lyme Regis*
Farrand, Robert	*Hedon*
Fitzroy, hon. C.	*Great Grimsby*
Foley, Edward T.	*Ludgershall*
Forbes, sir Chas., bt.	*Malmesbury*
Forbes, John	*Malmesbury*
Forester, hon. G. C. W.	*Wenlock*
Fox, Sackville L.	*Helleston*
Freemantle, sir Thos., bt.	*Buckingham*
Freshfield, James W.	*Penryn*
Gordon, John	*Weymouth*
Goulburn, rt. hon. H.	*Cambridge Univ.*
Graham, marquis of	*Cambridge*
Grant, sir Colq.	*Queenborough*
Grimstone, visct.	*Newport, Cornwall*
Halse, James	*St. Ives*
Hardinge, sir H.	*Newport, Cornw.*
Herbert, hon. Edw. C. H.	*Callington*
Herries, rt. hon. John C.	*Harwich*
Hill, sir Rowland, bt.	*Salop*
Hodgson, Frederick	*Barnstaple*
Holmes, William	*Haslemere*
Hope, Henry T.	*East Looe*
Hope, John T.	*Okehampton*
Houldsworth, A. H.	*Dartmouth*
Howard, hon. Fulk G.	*Castle Rising*
Hulse, sir Charles, bt.	*West Looe*
Inglis, sir R. H. bt.	*Oxford Univers.*
Irving, J.	*Bramber*
Jenkins, Richard	*Shrewsbury*

Jermyn, earl .. *Bury St. Edmund's*
Jolliffe, sir William G. H. .. *Petersfield*
Jolliffe, H. J. .. .. *Petersfield*
Kearsley, J. H. .. .. *Wigan*
Kemmis, Thomas A. .. *East Looe*
Kenyon, hon. Lloyd .. *St. Michael*
Kerrison, sir Edward, bt. .. *Eye*
Kilderbee, Spenser H. .. .. *Orford*
Knight, James L. .. *Bishop's-castle*
Lascelles, hon. W. S. .. *Northallerton*
Legh, Thomas .. .. .. *Newton*
Lewis, rt. hon. T. F. .. *Radnorshire*
Lovaine, lord .. .. *Beeralston*
Loughborough, lord .. *Great Grimsby*
Lowther, John Henry .. *Cockermouth*
Lowther, hon. Henry C. *Westmorland*
Luttrell, John Fownes .. *Minehead*
Lyons, W. .. .. .. *Seaford*
Mackillop, James .. .. *Tregony*
Mackinnon, William A. .. *Lymington*
Mahon, visct. .. .. *Wootton Basset*
Maitland, viscount .. .. *Appleby*
Malcolm, sir J. .. .. *Launceston*
Mandeville, visct. .. *Huntingdonshire*
Mexborough, earl .. *Pontefract*
Miles, William .. .. *Romney*
Miles, Philip J. .. .. *Corfe-Castle*
Miller, W. H. .. *Newcastle-under-Line*
Mount, William .. *Newport, I. of W.*
Morgan, Charles M. R. .. .. *Brecon*
Neeld, Joseph .. .. *Chippenham*
Nugent, sir George, bt. .. *Buckingham*
Peach, Nathaniel Will. .. .. *Truro*
Pearse, John .. .. .. *Devizes*
Peel, right hon. sir Robt. .. *Tamworth*
Peel, William Yates .. *Cambridge Univ.*
Peel, Jonathan .. .. *Huntingdon*
Peel, Edmund .. *Newcastle, Staff.*
Pelham, John Cresset .. *Shropshire*
Pemberton, Thomas .. .. *Rye*
Perceval, Spencer .. .. *Tiverton*
Phipps, hon. Edmund .. *Scarborough*
Pigott, George G. W. .. *St. Mawes*
Pollington, lord .. *Gatton*
Pollock, Frederick .. *Huntingdon*
Porchester, lord .. *Wootton Basset*
Praed, W. M. .. .. *St. Germain's*
Pringle, sir Wm. Henry .. *Liskeard*
Rogers, Edward .. *Bishop's Castle*
Rose, rt. hon. sir Geo. H. *Christchurch*
Rose, George P. .. .. *Christchurch*
Ross, Charles .. .. *St. Germain's*
Ryder, hon. G. D. .. .. *Tiverton*
Sadler, Michael T. .. *Aldborough*
Scarlett, sir James .. *Cockermouth*
Scott, sir S. .. .. *Whitchurch*
Severn, John C. .. .. .. *Fowey*
Seymour, Horace B. .. .. *Bodmyn*
Sibthorp, C. D. L. .. .. *Lincoln*
Smith, Samuel .. .. .. *Wendover*
Smith, Abel .. .. .. *Wendover*
Somerset, lord G. C. H. *Monmouthsh.*
Stewart, Charles .. .. *Penryn*
Stormont, viscount .. .. *Woodstock*
St. Paul, sir H. D. C. .. *Bridport*
Sugden, sir Edward B. .. *St. Mawes*
Thynne, lord John .. .. .. *Bath*
Thynne, lord Edw. .. .. *Weobly*
Thynne, lord Henry F. .. *Weobly*
Townshend, hon. G. P. .. *Whitchurch*
Trench, Fred. William .. *Cambridge*
Trevor, hon. Arthur .. .. *Durham*
Tunno, Edward R. .. .. *Bossiney*
Ure, Masterton .. .. .. *Weymouth*
Valletort, viscount .. *Lostwithiel*
Villiers, viscount .. .. *Minehead*
Vyvyan, sir R. R. .. *Okehampton*
Wall, B. .. .. .. *Weymouth*
Walsh, sir John .. .. .. *Sudbury*
Warrender, rt. hn. sir G. bt. .. *Honiton*
Welby, Glynne Earle .. .. *Grantham*
West, Frederick R. .. *East Grinstead*
Wetherell, sir Chas. .. *Boroughbridge*
Williams, Robert .. .. *Dorchester*
Williams, Thomas Peers .. *Marlow*
Wood, Thomas .. .. *Breconshire*
Worcester, marquis of .. *Monmouth*
Wortley, hon. John S. .. *Bossiney*
Wrangham, Digby C. .. *Sudbury*
Wyndham, Wadham .. *New Sarum*
Wynn, sir Watkin Wm., bt. *Denbighsh.*
Wynn, rt. hn. C. W. W. *Montgomerysh.*
Yorke, J. .. .. .. *Riegate*
Yorke, C. P. .. .. .. *Reigate*

SCOTLAND.

Arbuthnot, hon. H. .. *Kincardineshire*
Balfour, James .. *Haddingtonshire*
Blair, William .. .. .. *Ayrshire*
Bruce, Charles C. L. .. *Fortrose, &c.*
Cumming, sir Will. G. .. *Elgin, &c.*
Dalrymple, sir A. .. .. *Jedburgh*
Davidson, Duncan .. *Nairnshire*
Douglas, hon. Charles .. *Lanarkshire*
Douglas, Wm. R. K. .. *Dumfries, &c.*
Dundas, Robert Adam .. *Edinburgh*
Gordon, hon. William .. *Aberdeenshire*
Graham, lord Montagu W. *Dumbartonsh.*
Grant, hon. Francis W. .. *Elginshire*
Hay, sir J. .. .. *Peebleshire*
Lindsay, James .. .. .. *Fife*
Maitland, hon. Anthony .. *Berwickshire*
Murray, rt. hon. sir Geo. .. *Perthshire*
Pringle, Alexander .. *Selkirkshire*
Ramsay, William R. .. *Stirlingshire*
Scott, Henry F. .. *Roxburghshire*

IRELAND.

Archdall, Mervyn	*Fermanaghshire*
Bateson, sir Robert	*Londonderryshire*
Blaney, hon. Cadw.	*Monhaganshire*
Brydges, sir J. W. H., bt.	*Armagh*
Castlereagh, viscount	*Downshire*
Clements, John M.	*Leitrimshire*
Cole, viscount	*Fermanagh*
Cole, hon. Arthur H.	*Enniskillen*
Conolly, colonel	*Donegal*
Cooper, Edward J.	*Sligoshire*
Coote, Eyre	*Clonmell*
Corry, hon. Henry T. L.	*Tyroneshire*
Ferrand, Walker	*Tralee*
Forbes, viscount	*Longfordshire*
Gordon, James E.	*Dundalk*
Hayes, sir Edw., bt.	*Donegal*
Ingestrie, viscount	*Dublin*
Jones, Theobald	*Londonderryshire*
Knox, hon. John H.	*Newry*
Lefroy, Anthony	*Longfordshire*
Lefroy, T.	*Dublin University*
Maxwell, Henry	*Cavan*
Meynell, Henry	*Lisburne*
North, John H.	*Drogheda*
Perceval, colonel	*Sligoshire*
Pusey, P.	*Cashel*
Rae, sir William, bt.	*Portarlington*
Rochfort, Gust.	*Westmeath*
Shaw, F.	*Dublin*
Stewart, sir Hugh, bt.	*Tyroneshire*
Tullamore, lord	*Carlow*
Wigram, W.	*New Ross*
Wynne, John	*Sligo*
Young, John	*Cavan*

TELLERS.

Croker, rt. hon. J. W.	*Aldeburgh*
Clerk, sir Geo., bt.	*Edinburghshire*

PAIRED OFF, IN FAVOUR.

Brougham, William	*Southwark*
Coke, Thomas Wm.	*Norfolk*
Duncannon, visc.	*Kilkenny Co.*
Ferguson, sir Ronald	*Nottingham*
Loch, John	*Hythe*
Martin, sir Thomas B.	*Plymouth*
Morison, John	*Banfshire*
Newport, sir J., bt.	*Waterford*
O'Neil, hon. J. Rd. B.	*Antrimshire*
Russell, Lord	*Tavistock*
White, Samuel	*Leitrimshire*

PAIRED OFF, AGAINST.

Attwood, Matthias	*Boroughbridge*
Beresford, sir J. P. bt.	*Northallerton*
Bradshaw, Robt. H.	*Brackley*
Cooke, sir Henry F.	*Orford*
Fitzgerald, rt. hon. W. V.	*Ennis*
Handcock, Richard	*Athlone*
Hope, hon. sir Alex.	*Linlithgowshire*
Nicholl, sir John	*Great Bedwyn*
Penruddock, John H.	*Wilton*
Taylor, George Watson	*Devizes*
Vaughan, sir R. W. bt.	*Merionethsh.*

ABSENT.

Beaumont, Thomas W.	*Northumberland*
Bodkin, John J.	*Galway*
Brecknock, earl of	*Dunwich*
Byng, George S.	*Milborne Port*
Cripps, Joseph	*Cirencester*
Fane, John Thomas	*Lyme Regis*
Ferguson, sir R. A. bt.	*Londonderry*
Fitzgerald, John	*Seaford*
Frankland, sir Robt. bt.	*Thirsk*
Gilbert, D. G.	*Bodmyn*
Gurney, Hudson	*Newtown*
Heathcote, sir G., bt.	*Rutlandshire*
Holmesdale, visc.	*East Grinstead*
Houldsworth, T.	*Newton*
Howard, Henry	*Shoreham*
Killeen, lord	*Meathshire*
Knight, Henry G.	*Malton*
Knox, hon. J. J.	*Dungannon*
Lott, Harry B.	*Honiton*
Lyon, D.	*Beeralston*
Oxmantown, lord	*King's County*
Price, Richard	*New Radnor*
Rice, rt. hon. T. S.	*Limerick*
Ridley, sir M. W., bt.	*Newcastle-up.-T.*
Roberts, W. A.	*Bewdley*
Russell, William	*Durham County*
Schonswar, George	*Hull*
Spence, G.	*Ripon*
Staunton, sir T. G., bt.	*Heytesbury*
Stuart, Edward	*Wigton*
Talbot, Christ. R. M.	*Glamorganshire*
Townshend, lord J. N. B.	*Helleston*
Tufton, hon. H.	*Appleby*
Uxbridge, earl of	*Anglesey*
Vaughan, John E.	*Wells*
Weyland, John	*Hindon*
White, H.	*Dublinshire*
Williams, Owen	*Marlow*
Wynne, Charles W. G.	*Carnarvonshire*

UNREPRESENTED.

Derbyshire—one raised to the Peerage.
Dorsetshire—one dead.
Flint—one.
Forfarshire—one raised to the Peerage.
Liverpool—one vacated.
Louth—one.
Malton—one vacated.
Wallingford—one raised to the Peerage.
Wexford—one raised to the Peerage.

ABSTRACT.

There voted on the Third Reading of the Reform Bill, September 22, 1831,

FOR	ENGLAND	276
	SCOTLAND	19
	IRELAND	51
	TELLERS	2
AGAINST	ENGLAND	183
	SCOTLAND	20
	IRELAND	34
	TELLERS	2
PAIRED OFF	FOR	11
	AGAINST	11
ABSENT		39
PLACES UNREPRESENTED		9
THE SPEAKER		1
	TOTAL NUMBER OF MEMBERS	658

HOUSE OF LORDS,

Thursday, September 22, 1831.

MINUTES.] Bills. Received the Royal Assent; the Auditors of Irish Accounts'; the Public Works'; the Administration of Justice in Ireland; the Hackney Coaches; the Land Tax Assessment; the Canadian Revenue; Turnpike Tolls Regulation; and Clare County Presentments.

Petition presented. By the Duke of WELLINGTON, from Freemen of Sandwich, resident at Margate, praying to retain their right of Suffrage.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—BROUGHT UP FROM THE COMMONS.] It being understood that the Reform Bill would be brought up from the House of Commons there was a numerous attendance of Peers. A few Peeresses were accommodated with seats at the bar, and the space allotted to strangers was thronged to an overflow.

The Lord Chancellor had no sooner taken his seat on the Woolsack, than Mr. Pulman, the Deputy Usher of the Black Rod, appeared at the bar, and announced "a Message from the Commons." The Peers took their seats and perfect stillness prevailed. The Lord Chancellor put the next question, "that the messenger be called in," and answering it himself, gave the order to call in the messenger. The doors by which the messengers from the Commons enter, and towards which every eye was turned were thrown open, and upwards of 100 of the Members of the House of Commons, supporters of the Bill, with Lord Althorp and Lord John Russell at their head, the latter bearing the Bill in his hand, rushed through the narrow entrance, and made their appearance at the bar. The effect was striking.

The Lord Chancellor came to the bar with the usual formalities, and received "The Bill" from the hands of Lord John Russell.

Lord John Russell in delivering the Bill to the Lord Chancellor, said, in a firm and audible voice, "My Lords the House of Commons have passed an Act to amend the Representation of England and Wales, to which they desire your Lordships' concurrence."

Some Members of the House of Commons cried "Hear, hear;" but the call to "Order" was general among the Peers; and the cry of "Hear" was not repeated.

Instead of retiring from the bar, as is usual in such cases, the Members of the House of Commons preserved their position.

The Lord Chancellor holding the Bill in his hand, retraced his steps to the Woolsack, and communicated to the House the nature of the Message of the Commons, with unusual solemnity of tone and manner, and these words of mere form and ceremony, which no one perhaps ever thought of listening to before, were on this occasion, heard with breathless silence.

The Bill having been laid upon the Table, after a pause, in consequence of the absence of—

Earl *Grey* (the noble Earl who had come into the House) said—My Lords, I was not present when the Bill for effecting a Reform in the Representation of the people was brought from the Commons. I beg, however, now to move that the Bill be read a first time. Having made this motion, it will be necessary to fix a day for the second reading of the Bill; and in doing this, I have no other wish than to consult the convenience of your Lordships, I think the second reading should not be taken sooner than Friday se'nnight, nor later than Monday se'nnight. It will perhaps suit the convenience of all parties if I fix the second reading for Monday se'nnight.

Bill read a first time, and ordered to be read a second time on Monday se'nnight.

Earl *Grey:* If the second reading should be carried—as I have every reason to hope it will be—I trust that there will be no objection to take the Committee with as little delay as possible.

The Members of the House of Commons retired from the bar.

PRESCRIPTION BILL.] On the Motion of Lord Tenterden, the House went into a Committee on the Prescription Bill.

The Bishop of *Bristol* said, agreeably to an intimation on a former evening, he wished to suggest an alteration in this Bill, under a strong conviction of its expediency. Having already called the attention of the noble and learned Lord by whom the Bill was introduced, and of the noble and learned Lord on the Woolsack, to the subject, he hoped that the amendment which he had to propose would be approved by their Lordships. He trusted, that it was sufficiently evident that the learned and right reverend Prelates, among whom he had the honour to sit in that House, had done all in their power to remove any subject of just complaint against the Establishment, and to render it as unexceptionable as it could be made. He was equally anxious with the noble and learned Lord to see some limitation put to the period which had been hitherto allowed for invalidating fictitious claims to prescriptive payments in lieu of tithes. He should be one of the last persons in that House, as well from consideration of the clergy themselves, as from regard to the interest of the land-holders, to encourage precarious litigation for the setting aside of any modus; and it must be admitted that the clergy were not eager to come forward in such contests. A noble Baron, lately obtained an order for a return of the number of suits which had been instituted with a view to subvert unfounded claims; and as the result of the inquiry had not been brought forward, he had a right to presume that not many of the causes had been found to be vexatious or frivolous. He should not have objected to the period of sixty years, and the three incumbencies, if it were not obvious that these might already have had their retrospective operation, and that, in consequence, a very large proportion, of the whole body of incumbents, who had submitted to alleged prescriptions without any apprehension of injuring the property of the Church, would, were the Bill to pass in its present form, be precluded from any power of asserting their rights, however capable of being sustained. It had appeared that the intelligent and practical men, who were consulted by the Commissioners of Real Property upon this subject, in general contemplated prospective arrangements. He begged leave, therefore, to propose, that no prescription should be deemed valid and indefeasible, in lieu of tithes, where the sixty years should have expired, till after three years of a third incumbency, in the appointment of some person, to take place after the passing of this Act.

The Earl of *Eldon* cordially supported the amendment, which he thought was not only just, but necessary, to render the measure unobjectionable.

The Bishop of *London* said, that in framing the Bill, it seemed to have been forgotten that the clergy were in a very different situation from the lay holder of tithes, whose property was in fee simple, and descendible to his heirs, and who therefore would take care not to let any modus or collusive payment be established; whereas the clergy, having only a life interest, and depending upon the *nullum tempus* principle, which made it practicable for any of their successors to assert their rights, had suffered many of these rights to fall into disuse—some from inattention, some from poverty, some from a love of peace, and some from a fraudulent agreement with their patrons. The effect of the Bill, with respect to the clergy, would be to extinguish almost all doubtful claims; for no person would think of setting up a modus, which could not be proved to have been paid for more than sixty years; and it was not probable that one half of the clergy, who were prepared to prove the invalidity of moduses, would undertake to institute suits within three years from the passing of the Bill, after which time all claims would be foreclosed. The effect of limiting the institution of suits to so short a period would be peculiarly hard on the clergy. It would compel them to bring a vast number of causes into the Exchequer, at a time of all others most unfavourable to the assertion of their rights, and would load them with an obloquy which the lay impropriator might fearlessly defy, or they must be content to see their just claims for ever extinguished. For these reasons, satisfied as he was that putting an end to the *nullum tempus* principle would be not less advantageous to the interests of the Church, than due to the just rights of landed proprietors, he thought that a longer period than three years, after the passing of the Bill, ought to be allowed to the clergy for the institution of suits.

Amendment agreed to, Bill ordered to be reported.

HOUSE OF COMMONS,

Thursday, September 22, 1831.

MINUTES.] Petitions presented. By Mr. HUME, from Eleanor Windhurst, praying for Relief, her Husband having been imprisoned for selling Berthold's Political Pocket Handkerchief. By Colonel EVANS, from Warwick, Winchester, Battle, and Manchester, for an inquiry into the case of Mr. and Mrs. Deacle.

SALE OF BEER ACT.] Mr. *Littleton* presented a Petition from the Archdeacon and Curates of the Archdeaconry of Stafford, and also from Burslem, complaining that the morals of the people had been much injured by the operation of the Beer Act, and praying for its repeal or modification. The petitioners considered it to be their duty to protest against that Act, and he must say, that he thought those who had petitioned against the Act had been harshly treated. It was certainly true that the Act had produced more evils than was thought possible by its friends of whom he was one; and as the clergy were bound to take care of the morality of the people, they considered themselves justified in petitioning against the Act.

Colonel *Davies* was most anxious that the poor should have a wholesome and nutritious beverage, and yet it was most important they should be kept from the public-house. He, therefore, thought it was an evil to allow Beer to be drank on the premises. The establishment of beer-shops in country parishes had introduced great evils, over which the magistracy had no check or control.

Sir *Jacob Astley* said, he had just received a letter from a Magistrate in Norfolk, who had made the interests of the poorer classes the study of his life, and he said, that the country was in a state of confusion; there were constant quarrels, the morals of people were deteriorated, and and their families starving; the women all exclaimed against the beer-shops as the foundation of all these evils. He was afraid the new Beer Bill would not prove an adequate remedy for these injurious effects produced by the last.

Mr. *O'Connell* said, these complaints arose wholly from prejudice, and were not deserving the attention of the House. He had never before heard beer was a deleterious liquor, likely to promote all sorts of immorality. He had always been of opinion that there ought to be a free trade in beer, and that the venders should only be obliged to give security against any breach of the peace, or disorderly conduct being committed on their premises.

Sir *Richard Vyvyan* said, the hon. and learned Member was always ready to attribute improper motives to those who differed from him; no country gentlemen or clergymen wished to deprive their poorer neighbours of a wholesome beverage, or to interfere with their comforts. The wives and children of labourers it was who felt the evils, and lamented that the Act had been passed.

Mr. *Hunt* said, the beer-shops in general sold bad beer, and the best alteration that could be made was, to prevent them selling any but what they brewed themselves. He had seen no petition from the wives and children of labourers against the bill; the petitions only came from the Magistracy and Clergy.

Mr. *Littleton* assured the hon. Member, that in the petition he had just presented there was not the name of one Magistrate, but it was signed by every other respectable inhabitant of the place, without any exception.

Petition to be printed.

PROSECUTIONS FOR RELIGIOUS OPINION.] Mr. *Hunt* rose to present a Petition from Huddersfield, praying that the House would interfere to prevent prosecutions for the expression of opinion, and complaining of the imprisonment of the Rev. Robert Taylor, and of Messrs. Carpenter and Carlile. The petitioners also complained of the frequent and improper interference of a self-constituted tribunal, called the Society for the Suppression of Vice.

Mr. *Wilbraham*, in reference to the imprisonment of Taylor and the others, said, that, some time since, a petition had been presented from Macclesfield, and he had since then received a letter, stating that neither the Mayor nor any of the principal inhabitants, knew any thing about the matter, and that their sentiments were very different from those of the petitioners.

Mr. *Hume* did not conceive that the petitioners were under any obligation to consult the Mayor upon such an occasion, nor did it follow that the petition might not express the opinion of a considerable number of respectable persons, in a town which contained many thousand inhabitants. He believed that to have been the case; he supported that petition, and he should also support the prayer of this.

Mr. *Strickland* stated, that many of the petitioners were exceedingly moral and religious people to his knowledge, and decidedly opposed to religious persecution. He concurred with them in opinion, that it was advisable such prosecutions ought not to be permitted.

Mr. *Hunt*, in moving that the petition be printed, said, he had also presented the petition which had been alluded to as coming from Macclesfield, and he had not presented it as the petition of the inhabitants of the town, but of the Political Union Club there established.

Petition to be printed.

MR. AND MRS. DEACLE.] Colonel Evans moved for a Select Committee to inquire into the allegations of the petitions of Mr. and Mrs. Deacle.

Mr. *Wilks* seconded the Motion, with the understanding that no discussion would take place, as it was the desire of Messrs. Barings themselves that this Committee should be appointed.

Mr. *Francis Baring* wished that the Committee should be appointed, and promised to afford all the information in his power.

Lord *Althorp* said, it was perfectly consistent with the character of his hon. friend that he should pursue such a course; the House was not bound, however, because the parties interested wished their conduct inquired into; and as a precedent, it became a serious question whether they ought to appoint a Committee, to inquire into a transaction which had already been made the subject of judicial inquiry. In his opinion, the House ought not to pursue such a course, except in some very extraordinary case: he did not think this was of that character, and he therefore felt bound to oppose the Motion.

Mr. *Hume* said, there appeared to have been a complete misunderstanding on the subject. He had understood, that when a Committee had been mentioned, as no objection had been then made, that Ministers would not oppose the appointment. He admitted it was a case of vital importance to the magistracy, and to all those interested in the management of local justice, but as all parties seemed anxious for an investigation, he thought it ought to be granted. At all events, as an unexpected opposition had been created, he should move that the Motion be adjourned.

Lord *Althorp* observed, he had given no pledge either way, but he certainly had no intention to agree to the appointment of a Committee. Instead of adjourning the Motion, he would recommend the hon. and gallant Member to withdraw it, on the understanding that he should bring it again forward on Tuesday next.

Mr. *Baring* observed, that the question was one of a delicate and important nature, as it affected the magistracy of the county of Hants, generally, and several of them particularly. He felt an extreme anxiety to have the whole facts investigated before a Committee, and he was, therefore, much disappointed that his noble friend recommended that the Motion should be postponed. Petitions were coming in from various parts of the country, upon the aggravated accounts published in the newspapers; while upon the spot, and in the vicinity of the place where the transactions occurred, the popular view was very different. The delay until Tuesday would permit further misrepresentation, and therefore he very much regretted it.

Sir *Thomas Baring* earnestly hoped his noble friend would reconsider his opinion against the appointment of a Committee, on the ground of its making the House a Court of Appeal; the parties interested required no such thing; they only wished that the truth or falsehood of the allegations contained in the petition of Mr. and Mrs. Deacle, should be inquired into; and if hon. Gentlemen considered that it contained a charge against a Magistrate, for tampering with a witness, he thought that would be sufficient to justify the appointment of a Committee.

Mr. *George Robinson* did not think the appointment of a Committee would tend to relieve the public mind from any false impressions it might have taken up with regard to this case; and he should, therefore, follow the noble Lord's example, and oppose it.

Sir *James Scarlett* regretted the Motion had not been at once disposed of, as the delay might establish a precedent, which they might find it difficult to deal with in other cases. The Motion was to inquire into the prayer of a petition, which brought charges against certain individuals and Magistrates, after their conduct had been duly investigated before the proper tribunal. It appeared to him, that they were about to create a dangerous precedent by appointing a Committee; for if it was once established, that the House of Commons was to inquire into alleged instances of misconduct on the part of Magistrates, which could be made the subject of indictment, and determinable by the ordinary Courts of justice, he did not know where they could stop. They would soon have cases enough of the kind on their hands; there were discontented individuals in every county, who would hasten to bring such charges, if they found there was a disposition in the House to listen to them. Opposed as he was to the Motion, he should have preferred settling it at once by a division.

Mr. *Hunt* said, the hon. and learned Gentleman had been heard to declare, that the Courts were open to investigate charges against Magistrates, of the nature of that now before the House; but he forgot one essential particular, that was, the expense attending the application. He had always understood that the House of Commons was the proper place for injured individuals to apply for redress. The parties complaining and the persons accused, were anxious for inquiry, and the public were also desirous of it; why, then, should it be refused? He believed, from all he heard, that a gross act of injustice and oppression had been committed upon a female, by gentlemen of rank and fortune; and she and her husband had no means of redress if that House refused to listen to their complaints.

Mr. *Paulet Mildmay* said, as the hon. member for Preston had been pleased to give an opinion on the case, he could only reply, that he, as a Magistrate of the county of Hants, was most anxious for immediate inquiry; and he had no doubt, the result of such an inquiry would not only completely vindicate the characters of the accused, but also prove, that at a period of great danger and difficulty, their conduct had been such as to entitle them to the gratitude of the country. Many persons who were disposed to find fault with the want of energy displayed by the Magistrates, when turbulence and incendiarism were stalking through the country, now that the danger was past joined most loudly in the cry against them.

Mr. *George Lamb* observed, that it appeared to be the general opinion, that the discussion should be postponed, as a misunderstanding was alleged to have taken place; he therefore deprecated further remarks, and put it to the hon. member for Thetford, whether the question should not be at once postponed.

Colonel *Evans* said, he was ready to acquiesce in the suggestion made, and withdraw the Motion for the present; but he begged it to be understood, the proposition for the delay had not proceeded from him. As for the various statements made by different Gentlemen on the present occasion, all that he felt bound to do, when the matter was fairly brought under consideration, was, to shew there were sufficient grounds to institute an inquiry.

Motion withdrawn.

White-Boy Acts.] Mr. *Stanley* moved for leave to bring in a Bill to amend the 15th and 16th of Geo. 3rd, commonly called the White-Boy Acts, which inflicted the penalty of death for a class of offences of frequent recurrence in Ireland, and which the Special Commissions in Clare and Limerick were sent forth to repress. These offences consisted of malicious injuries to property, sending threatening letters, procuring arms by threats, and others, which were now punishable with death. He proposed to substitute transportation in lieu of this, as being both more humane and more efficacious, for experience had proved that the people were more terrified by instant transportation, on conviction than by the fear of capital punishment. Another anomaly in the law he proposed to remedy—namely, that at present turning-up of land, breaking out-houses, &c. were punishable by the present law with death, if committed at night; whereas, if the same offence were committed by day, it could only be punished as a misdemeanor. Now he wished to put both on the same footing, and have the punishment transportation for life. Another anomaly was, that a man who incited to these crimes was punishable with death, while he who committed them was only a misdemeanant; and this distinction should also be taken away. Another object he had was, to repeal some clauses of the old Act, empowering Magistrates to seize the arms of suspected persons—that is, Papists; and he thought it too hard now to have any distinction on account of sects remaining. He wished, at the same time, to give notice, that it was not his intention, considering the present state of the session, to bring forward the Bill for consolidating the laws relative to the importation and possession of arms in Ireland, of which he had previously given notice. He meant to move, however, to revive for the year the Act as to keeping arms, which had just expired, and next year to bring forward the bill to consolidate all these laws.

Mr. *O'Connell* concurred in the necessity of amending the White-Boy code, and making it less sanguinary. Late circumstances, particularly in Clare, had proved that a milder system was better and more efficacious than the former severe one. There was one question, however, he wished fully considered; it was the right of challenge. Under the present severe law, the person accused could challenge twenty Jurors, but under a milder law this right would be taken away, and he wished it to be continued.

Sir *John Newport* expressed his satisfaction at the proposed amelioration of the laws, which, he was sure, would have a most beneficial effect in the prevention of crime. He would avail himself of that opportunity, to offer one or two remarks on that class of offences which related to the turning-up of land. He had no wish that the Legislature should interfere between landlord and tenant, but public opinion could do much, and he trusted that the decided manifestation of it, both in and out of the House, would prevent the exacting such exorbitant rents, sometimes amounting to 8*l.*, 9*l.*, or 10*l.* an acre from a poor creature, for an acre of potatoe land.

Mr. *North* said, he should be most happy to give his humble endeavours in the Committee, to render the proposed improvement of the laws as perfect as possible. He concurred with the hon. and learned member for Kerry, in the desire to retain the peremptory challenges; he had often witnessed the pleasure which the exercise of this power afforded to the friends of accused parties.

Mr. *Henry Grattan* rejoiced at the right hon. Gentleman having brought in a Bill of this description, for never had any country such a list of sanguinary statutes as Ireland. The White-boy Act involved this gross absurdity, that if a house were burned or destroyed, it would be necessary to prove that the country was in a state of disturbance before a man could get compensation; the consequence of which was, that at the Assizes there was a most extravagant quantity of hard swearing. The next was the Arms Act; and the people's feelings were exasperated, when they saw one man allowed to carry arms merely because he was a Protestant, and the Catholic not allowed to possess any. Then there was the Insurrection Act, which had given rise to the most dreadful oppression. He knew a case in which a man was transported for having had gunpowder, to the amount of one pound, in his possession, and which had actually been found by a child. The Algerine Act was intended to put down all meetings of the people, and deprived them of the right of petitioning for the redress of their grievances; hopes were entertained that it would stop the expression of the sentiments of the Irish nation; but, thank God, it concentrated public opinion, and induced the people to demand a complete change in the mode of government. Ireland, for the last three centuries, had been governed by Acts like these; and was it to be wondered at that the people were dissatisfied? The proceedings proposed with respect to the Arms Bill were most unconstitutional, and he could tell his Majesty's Government, that, if they had endeavoured to have brought the Registration of Arms Bill into operation in Ireland, such was the feeling of indignation throughout the country, that they would have excited an insurrection. The gentlemen of Ireland would as soon have submitted to have had their backs branded, as to have suffered the indignity of being deprived of their arms, unless they were stamped. The truth was, that such had been the treatment of the people by the Government, that no body of men had any security in the administration of justice. Whether Whigs or Tories were in place, Ireland was never governed in a satisfactory manner. As for the turning-up of land that had recently taken place in the west of Ireland, he was not surprised at it. Men worked for ten hours a day, and were only able to earn 8*d.* a day, and the landlord demanded 10*l.* an acre for his ground. They had also to pay tithes to the Protestant clergymen, whose religion they considered as little better than idolatry. He was happy to perceive that a spirit of union was rising in Ireland, which would make itself heard in the remotest parts of the empire, and would command the attention of Government.

Mr. *Shaw* observed, nothing could be so impolitic as to have such severe punishments, that they could not be enforced without exciting the sympathy of all classes. It was advisable that punishments should be moderate, but certain.

Motion agreed to, and Bill ordered to be brought in.

SUGAR REFINING ACT.] Mr. *Burge* requested the noble Lord to postpone the bringing up of the Report on this Act until Wednesday next, as the attendance of Members was at that moment much too small to allow the motion on this important subject, of which he (Mr. Burge) had given notice, to receive adequate consideration. He hoped, however, that, after what had already taken place, the noble Lord would not persist in pressing the Bill.

Lord *Althorp* said, he had already declared the subject was under inquiry, and that the Bill was to be in force for but one year. The Government did not intend to abandon it.

Mr. *Robert Gordon* said, the West-India planters understood, that this Act was not to be renewed until they had received official notice. Frauds were constantly committed under it, and foreign sugar brought into the market for home consumption, whereby the revenue, as well as the planters in the colonies, sustained injury. It was said, an experiment had been tried at Liverpool which proved the accuracy of this statement.

Mr. *Poulett Thomson* said, he had received no notice of this experiment, but it might have been tried without his being yet aware of it; but if it had not been tried yet at Liverpool, he could assure the hon. Gentleman it was about to be tried in London.

Mr. *Robinson* said, he considered the commercial and colonial policy of the Government most absurd, and he would take care, at all events, to bring forward the whole question relating to sugar refining next session. It was proper they should come to some understanding as to the application of the general principles of the doctrine of free trade, and not apply them in one or two instances, and keep up a system of restriction on some of the most important branches of traffic. If it was intended that the colonies were to be abandoned, let it be done before they were thoroughly ruined.

Mr. *John Weyland* said, this was a most pernicious Act, as it injured our own colonies, and gave an advantage to the sugar grown in foreign colonies, where the slave-trade was still carried on. The application of the principles of free trade to our West-India colonies was most objectionable. For the interests of humanity too, the slave-trade ought by all means to be discouraged, but this Act offered a premium to it.

Report postponed.

Leave of Absence.] Lord *Pollington* moved, that Lord Mexborough should be allowed leave of absence for one month, on the ground of urgent private business.

Mr. *O'Connell* opposed the Motion, as he did not think business a sufficient apology for absence at such a moment.

Motion withdrawn.

Sir *Richard Vyvyan* moved, that Mr. Davies Gilbert have leave of absence for one month on urgent private business.

An *Hon. Member* did not see how they could grant this when they refused the leave of absence to Lord Mexborough.

Mr. *O'Connell* thought it right to say, Mr. Davies Gilbert had come to him and stated, that the business was of the most pressing nature, which demanded his immediate attention.

Mr. *Robinson* thought it very inconsistent of the member for Kerry (Mr. O'Connell) to oppose the one motion, and agree to the other on precisely the same grounds. He objected to that hon. Member deciding who was to have leave and who not. He should oppose the Motion.

Motion withdrawn.

HOUSE OF LORDS,

Friday, September 23, 1831.

Minutes.] [The Select Committee to whom it had been referred to consider what alterations should be made in the interior of the House during the debate on the Reform Bill, recommended that an Address be presented to his Majesty, praying that he would be graciously pleased to give directions, that Galleries should be erected in the House in the same manner as had been adopted in the year 1820.—Ordered.]

Bill. Read a second time; Administration of Justice (Ireland.)

Petitions presented. By the Earl of Camperdown, from the Overseers and others connected with the Spinning Mills of Dundee, for the limitation of the hours of working in Manufactories in that part of the Kingdom. By the Marquis of Westminster, from certain Beer-house-keepers, for placing them on the same footing as Publicans. By Lord Suffield, from the County of Norfolk, in favour of the Reform Bill. By the Duke of Richmond, to the same effect from the Inhabitants of Castle Douglas and its vicinity. By a Noble Lord, from the Inhabitants of Louth, Lincoln, praying that the condition of the Irish Peasantry might be taken into consideration.

Coal Trade.] Lord Ellenborough moved, that the London Coal Trade Regulation Bill be read a second time.

The Marquis of *Londonderry* congratulated their Lordships on the advantages the country was about to derive from this measure, which embodied many of the suggestions he had so frequently ventured to offer to the House. He would take this opportunity of adverting to the statements which had been made, denying that the repeal of the coal duty had been followed by any adequate reduction of the price. He admitted that the full advantage of the measure had not yet been reaped, either by the coal-owner or the public, but had been in a great degree engrossed by the ship-owners. Competition could not fail, however, soon to correct this evil. The coal-owners had no such monopoly as could enable them to obtain an inordinate profit, and the reduction of duty, so far from giving them any undue advantage, would attract new capital to the opening of fields of coal, give a greater development to the trade, and render combinations difficult and ineffectual.

The Bill was read a second time.

Game Bill.] On the Motion of the Duke of Richmond, the Order of the Day for the recommitment of this Bill was read.

Lord *Wharncliffe* suggested to the noble Duke the expediency of referring the Bill to a Committee up-stairs. The Bill, as it now stood, was full of imperfections. And he recommended this course with a perfect desire to make the Bill, if possible, a satisfactory Bill, and capable of working well in practice. He believed, that instead of losing time by referring the measure to a Select Committee, a great deal of time would be gained.

The Duke of *Richmond* would have been disposed to resist the proposal had it proceeded from almost any other quarter; but, knowing that the noble Lord had long been anxious to promote that improvement in the laws which was the object of the Bill, he would accede to his suggestion.

Lord *Wharncliffe* said, that the Bill, in its present shape, could not fail to produce perpetual dispute and litigation in the country. It would make the law a great deal worse than it was.

The Duke of *Wellington* recommended that the execution of the Bill should be postponed until the present game season was over. He thought this might prevent much inconvenience, although, so far as he was personally concerned, it was a matter of indifference whether the Bill came into operation on the 20th of October or the 1st of March.

The Duke of *Richmond* said, that the noble Duke had pointed out the inconvenience of making the Bill operative from the 20th of October, but had neglected to advert to the still greater inconvenience of postponing its operation. The Bill sanctioned the sale of game, and it had received the assent, he might say, the unanimous assent—for there had been no division of the House of Commons—and probably this part of the Bill would also receive their Lordships' full concurrence. Now the inconvenience of postponing the operation of the Bill was this, that during a great part, and that the busiest part of the present game season, Magistrates would frequently punish persons by fine and imprisonment for an act which both Houses of the Legislature had solemnly sanctioned. They had better submit to some inconvenience than have 2,000 persons sent to prison for what, some days afterwards, would cease to be an offence. Had their Lordships any idea of the extent to which the sale of game was carried on? One salesman came to him to tell him, that last year he had sold 20,000 head of game, and that some weeks he had sold 1,500 head.

The Marquis of *Salisbury* suggested, that the sale of game might be legalized at once, and the other provisions of the Bill be allowed to stand over.

The Duke of *Richmond* would rather there was no alteration in the Game-laws than such an alteration as that. The existing system gave rise to mischiefs enough, but those mischiefs would be fearfully increased if the privilege of making a profit of the game were added to the number of privileges already complained of.

Lord *Suffield* was convinced, that the measure must be passed this winter, and it was therefore with regret that he concurred in the proposition for sending it to a Committee up-stairs, which, however, he admitted to be necessary.

The Marquis of *Londonderry* concurred with the noble Duke (the Duke of Wellington), in thinking that the operation of the Bill ought to be delayed till the next season.

The Earl of *Carnarvon* said, there was one principle which pervaded the measure to which he begged to call the attention of the noble Duke. He had great objections to leaving the amount of penalties entirely at the discretion of the Magistrates, as it would tend to produce a great inequality of punishment, according to the disposition of the Magistrate. This uncertainty was a great evil; it would be more advisable that the penalties should be fixed by the Statute, and if it were necessary to give the Magistrates some discretionary power, it would be better to do it by a separate clause allowing them to reduce such penalties by a given sum.

The Duke of *Richmond* said, with the leave of their Lordships, he would withdraw his Motion, and move "That a Select Committee be appointed, and the Bill referred to it."

A Committee appointed accordingly.

SALE OF BEER ACT.] On the Motion of Viscount Melbourne, the Order of the Day for receiving the Report of the Sale of Beer Act Amendment Bill was read.

The Earl of *Harrowby* said, that as the law now stood, public-houses were to be closed during the hours of divine service. He wished to propose as an Amendment, as these hours varied in different parishes, the hour of closing such public-houses and beer-shops should be regulated by the hours when Divine service was performing in the respective parishes. Again, the present law prohibited the sale of wine and spirits, but not the consumption of these articles in such beer-houses; he therefore wished a clause to be inserted, prohibiting the consumption of wine and spirits, because it was notorious that both these commodities were consumed, the price being included in the charge for beer.

Viscount *Melbourne* proposed a clause, to prevent any individual, whose license as a publican had been taken away by the Magistrates, from receiving a license to keep a shop for the sale of beer.

Amendments agreed to.

BANKRUPTCY COURT BILL.] The House resolved itself into a Committee on this Bill.

Lord *Wynford*, in addressing their Lordships, could assure them, that he was as free from all political bias as in making any charge he had ever delivered in his judicial character. The state of the House shewed, that the Bill was not considered as a political question. From almost empty benches, he appealed to the candour of his noble and learned friend against his own Bill. He had an objection to the first clause, and to that, perhaps, he ought in strictness to confine himself, but, as he had been prevented by indisposition from opposing the committing of the Bill, their Lordships would allow him, he hoped, to state shortly all his objections at once, instead of waiting till the clauses to which they applied should be read. He objected to the new Court to be created by the first part of the first clause. After hearing what his noble friends had said, as to the very satisfactory manner in which the Commissioners of Bankrupts had done their duty, he was sorry that they should be deprived of their offices, upon the prospect of retaining which many of them had formed their establishments; yet, as a very respectable body of merchants and bankers had petitioned for a different administration of these laws, and as his noble and learned friend had promised to procure for these Commissioners some compensation for their loss, he should not oppose that part of the Bill by which seven new Judges were to be substituted for seventy old Commissioners. As to the petitioners, none had prayed that a Bankrupt Court might be established, the Judges of which must be paid large salaries for doing the business now done by the Chancellor and Vice-Chancellor; on the contrary, many persons in the city, of the first respectability, objected to the establishment of such a Court, thinking with him, that as the business was now done by the Chancellor and Vice-Chancellor, it would be worse than useless to form any other Court to exercise the same superintendence and control over the Commissioners of Bankrupts, as were now exercised by the Chancellor and Vice-Chancellor. It was not said, that this part of the bankrupt business was not satisfactorily done by the present Law Officers. It was done with as little expense to the suitors, as it would be in the new Court. There was no delay, the business was despatched as fast as it came before the Court, and there was no arrear. The Chancellor and Vice-Chancellor did not complain of its being burthensome; it occupied them only about thirty-five days in each year, and so far from having too much to do, his noble friend had told their Lordships, that he should soon be able to dispense with the services of the Vice-Chancellor. With one breath his noble friend recommended their Lordships to relieve him of bankruptcy cases, in the next he expressed apprehension of want of employment. No case was made out for appointing four new Judges this year, after having last year appointed two more than were wanted. The salaries of these Judges were not, in the first instance, to be paid out of the Consolidated Fund, but out of insolvent estates, taking the funds of creditors, who had already sustained ruinous losses. They would amount to 9,000*l.* per annum. To this sum must be added, the salaries of their clerks (for each Judge must have a clerk), the salaries of officers attending and taking care of the Court, and the expense of building it and keeping it in repair. The tax, however, which this Bill imposed on the miserable wreck of bankrupts' property, would not be sufficient to defray these charges and some others to be created by it. The Bill made the Suitors' Fund a security for the payment of any deficiency, and against that he protested. The Suitors' Fund might be claimed by those to whom it belonged. The Legislature had no more right to take that Fund for the payment of the expenses of the Bankrupt Court, than to take any other part of the suitors' property. Bankrupt property did not contribute to that Fund, and, therefore, no part of it could, with any colour of justice, be taken for any expenses incurred in cases arising out of bankruptcy. A considerable part of these expenses must ultimately come from the Consolidated Fund, and it was for their Lordships to decide, whether unnecessary burthens ought to be brought on the country. Did the noble Lord, the author of the Bill, think that this Court would do its business with satisfaction to the public? If not, why incur this useless expense? The decision of bankrupt cases required a profound knowledge, not only of the whole system of commercial law, but of all parts of the law that in any manner relates to every description of property. The Judges of this Court would have to direct Juries upon issues of fact, and ought, therefore, to be conversant with the *Nisi Prius* practice, and be able to explain complicated cases. They ought to be taken from the most eminent leaders in Westminster-Hall. Eminent men had sometimes given up extensive practice, and taken a seat on the Bench, which was a station of high rank, and of great dignity. Men who had made a fortune, were sometimes disposed, whilst possessing the full energy of their minds, to accept the office of Judge. But the Legislature did not purpose to invest these Judges with the dignity that belongs to a Judge of one of the Supreme Courts. No such men, therefore, as he had spoken of, would accept these Judgeships. It would be better, therefore, as well as cheaper, to leave the decision of matters of law and equity in bankruptcy cases, to the Court of Chancery, and allow that Court to send issues of fact to the Supreme Courts of Common Law, than to transfer law, equity, and fact, to one newly-constituted Court. The noble and learned Lord complained that time and money were wasted by appeals from the Vice-Chancellor to himself. Would the decisions of this new Court be respected as much as those of the Vice-Chancellor? No, there would, for a considerable time at least, be appeals in every case. The delay and expense of proceedings in bankruptcies would, therefore, be doubled. All these evils were to be purchased at an expense, of the extent of which few could form an idea, for nothing like a probable statement of what it would amount to had been laid before their Lordships. Connected with this part of the case was the subject of the trial of issues by the Bankrupt Court. An unfortunate bankrupt, ruined by the losses incidental to trade, was an object of commiseration; yet by this Bill he would be in a worse situation than any other person who was forced to appeal to the law of his country. He would be deprived of the right of trying his cause in what Court he thought proper, and of the more important right, of carrying his case to the highest Court of Appeal. The noble and learned Lord, the Chancellor of Ireland, opposing the Fraudulent Debtors' Bill, expressed much anxiety to prevent men from being subjected to all the penal consequences of the Bankrupt Laws, who fell not within their scope. What would that noble Lord say to a Bill, that took from the man who had the misfortune to be declared a bankrupt, some of the means which the law now afforded him to extricate himself from his ruinous and degrading condition? He might now try the validity of his Commission in any one of the Courts of Westminster that he chose to select, and if he objected to the opinion of the presiding Judge on the law of his case, he might require that Judge to allow his opinion to be reduced to writing, and bring that opinion before their Lordships. This privilege was given to all the parties in civil causes in the Courts of Westminster, by a very ancient Statute, which had contributed more to secure the suitors against the prejudices, the conceits, and the hasty opinions of Judges, than any other law. The poor bankrupt, however, would have no choice of Courts; he would have no bill of exceptions; his fate must depend on the judgment of the Bankrupt Court, and of the Lord Chancellor. He could not bring his case before the last Court of Appeal, unless both parties agreed, a thing not likely; or unless the Lord Chancellor should wish to have his judgment reviewed. He should uniformly oppose the giving discretion ary power unnecessarily. He had opposed, and should oppose, the subjecting the clergy to the arbitrary discretion of the Archbishops or Privy Council; and he would also oppose subjecting any suitor to the arbitrary discretion of any Lord Chancellor. The writ of error was a writ of right To say that a bankrupt should not try his case before that House unless his adversaries or the Lord Chancellor would consent, was to deprive him, without any even specious cause, of an advantage he might now obtain. He objected to the clause which authorized the appointment of two Registrars and eight Deputy-registrars. If their Lordships agreed with him, none of these registrars or deputy-registrars would be required. The business would be done by the solicitors and the assignees, as at present. All the proceedings were filed as regularly under the 6th George 4th as they would be under this new Bill. If a Court of Bankruptcy be established, half the number of Judges appointed by this Bill would be sufficient. The Common Pleas had twenty times the business that ever this Court could have, and had but three Prothonotaries and three Secondaries, the number of which, by a late Act, was tobe reduced. If these registrars were not absolutely, necessary, why load the estates of bankrupts with an expense of about 5,600*l.* per annum to pay their salaries? A single Commissioner might declare a man a Bankrupt under this Bill. Under the present law, a man could not be declared a bankrupt without the concurrence of three Commissioners; and they ought not to adjudge a man a bankrupt until he had been heard in his defence. He must, therefore, protest against the merchants and bankers of this country being rendered liable to be posted in the *Gazette* as bankrupts, to be divested of all their property, their business stopped, and themselves and their families turned out of their houses, on an *ex parte* hearing before one Commissioner. The Commissioner might indeed, if he found difficulty, advise with the other Commissioners, but there were some men who never found any difficulty until the answer was heard. He should trouble their Lordships with but one objection more, for if he had not satisfied their Lordships, by what he had already said, that this Bill had been taken up with too much haste, and required more consideration before it passed into a law, he must despair of success upon any other grounds. He could not think it was right that a burthen of at least 22,000*l.* per annum, a sum exceeding that paid to seventy Commissioners, should be imposed on bankrupts estates, for the remuneration of thirty public or official assignees. This was the part of the Bill to which he himself felt the greatest objection, and against which he was bound to add, the mercantile interest in London entertained the greatest objection. He had had many communications with highly respectable traders in London on this subject, and he knew how adverse their feeling was to the appointment of assignees. They declared that they would give up any benefit which they might expect from the appointment of Commissioners under this measure, rather than allow a body of public assignees to be formed. If the modern theory were right, that men can take care of their own interests, and that the less Government interfere with them in the management of their concerns the better, no such officers were necessary. The assignees were at present chosen by the creditors—would they not choose the persons most likely to take care of their property? Why were creditors to be treated as children, and have persons appointed as guardians to manage their affairs? The creditors had a power over the assignees of their choice, which they would not have over those appointed by the Court. If assignees did not pay the money that came to their hands into the Bank, they were liable to a penalty of twenty per cent. But his noble and learned friend said, that they suffered it to remain in the hands of the solicitor to the commission, and then they swore, with a good conscience, that they had no money in their hands. He protested against this doctrine. No assignee who did not inquire whether the solicitor had any money in his hands did his duty. The solicitor to the commission was appointed by the assignees, and was their agent. Money in his hand was money in their hands. If they chose to remain wilfully blind as to what money the solicitor had, that they might swear they had no money, they incurred the guilt of perjury. But that might be guarded against by an order from the Court of Chancery, directing the Commissioners from time to time to examine on oath both assignees and solicitors, as to what money they had in hand, and requiring the Act of Parliament in all cases to be strictly and immediately complied with. The public assignee was, he was aware, to give security; but who that would accept this office would be able to find security for those sums that must come into his hands? Their Lordships might be assured, that the present law had preserved bankrupts' estates better than any security that could be obtained from assignees. His noble and learned friend said, that these assignees would save the expense of accountants. If they did the business of accountants, they would require to be paid as such, and the Commissioner who had the extraordinary power given him of settling in each case what the rate of commission was to be, would pay as much to an assignee who did the business of an accountant, as to another assignee and to an accountant together. A portion of these individuals was, it appeared, to be selected from that class of persons who were in the habit of acting as Special Jurors. He rather feared, as many of those gentlemen were individuals who had retired from business in consequence of the infirmities of age, that little assistance could be received from them. If, however, public assignees were wanted in London, they must be equally wanted in the country; but the country, into which two-thirds of the commissions of bankrupt were issued, was not to have the advantage of public assignees. The Bill had now been for some time before Parliament, but none of the great trading towns had complained that their interests were not protected by public assignees; and not a single petition had been sent up to their Lordships upon the subject. The Bill imposed on the country a great and unnecessary expense, the extent of which their Lordships could not see, for they had no accounts before them on which to form any judgment. Besides the charges to which he had alluded, there would be compensations to several officers, and to the discarded Commissioners. Bankrupts' estates would not bear these charges—the Suitors' Fund could not be rendered liable to them—they must, therefore, fall on the Consolidated Fund. He reluctantly gave up the Commissioners, from deference to the opinion of the petitioners. That, however, was an alteration that might be made without any increase of expense. Indeed, seven or a greater number of Commissioners would not put the bankrupts' estates to the expense that was now occasioned by the seventy Commissioners, which he estimated at about 23,000*l.* But the expenses of the Court, of the Registrars, and of the public assignees were useless. The new Court would only multiply appeals, and the increasing the number of Judges would tend to lower the character of Judges. It was essential, however, to the due administration of justice that the Judges should be looked up to with the greatest respect, and why were the Judges in England held in greater estimation than those on the continent, amongst whom were many persons highly distinguished for learning and abilities? Because the number of Judges here was so much less than in other countries. He could only entreat their Lordships to pause—to inquire before they made such an extensive alteration in the law as was proposed by the Bill under consideration. Let them not look at bankruptcy only—the whole law of debtor and creditor was a disgrace to the country. Upon the whole, the Bill only substituted a bad system for a good one, and he moved that the words appointing the new Court should be left out.

The *Lord Chancellor* did not complain that his noble and learned friend had entered improperly into the whole of this question on the present occasion. It was most desirable to have the benefit of his observations on the subject; and, as he had not before had an opportunity of going into the question at length, he had now, very properly, stated his objections altogether, instead of separating them, and confining them to different clauses and different parts of the Bill; but his noble friend having done so, he should be under the necessity, although he troubled their Lordships at some length the other night, of again trespassing on their attention. He should, however, confine himself strictly and exclusively to the parts to which his noble and learned friend had adverted. The first objection taken by his noble and learned friend extended to the first clause of the Bill, to the appointing some Commissioners and abolishing others; but his noble friend seemed to have mistaken the object of the clause. His noble and learned friend seemed to think that the principle of the Bill, was to substitute for the present number of Commissioners only seven, and then to substitute, in the place of the Great Seal and the Vice-Chancellor's

Court, the Court of Review, which it was proposed to establish: but this was not the strict nor the correct mode of stating the principle of the Bill. The fundamental principle of the Bill was not the substitution of a Court of Review for the purpose of exercising the functions which the Great Seal, and the Vice-Chancellor, representing the Great Seal, at present exercised, by way of appeal, from the Commissioners, but it was proposed that that Court should exercise other functions which the Vice Chancellor and the Lord Chancellor, hearing appeals from the Commissioners, did not exercise unless their decisions upon disputed testimony, and upon conflicting testimony on affidavit, were taken to be the same as a Trial by Jury in matters of fact, which they clearly and manifestly were not. It might be right or wrong, that the Court of Review should, from time to time, try questions instead of their being tried in Westminster Hall; and that part of the Bill might or might not be liable to objection on the part of his noble and learned friend, he having an inclination, as he admitted all members of the profession had, in favour of Trial by Jury in Westminster Hall, in preference to a new Court. The institution or exclusion of that Court might or might not be necessary; though presently he hoped to shew their Lordships, that it was necessary; but the other objection of his noble friend appeared to him to be totally inconsistent. It was impossible to say that the Court of Review was substituted for the Chancellor and the Vice-Chancellor sitting to hear appeals in bankruptcy cases, because the Chancellor and the Vice Chancellor never try issues; they could not try issues; some men had doubted, indeed, whether they could not; but the experiment had never been brought to the test; and he doubted whether the equity side was enabled to do so at all. Was it therefore correct to say, that when a tribunal was established in the bosom as it were of the Court of Chancery—was it a correct representation of the powers of the Court of Review, which was to have delegated to it the important functions of trying facts by a jury—to say that it was merely a substitution for the jurisdiction at present exercised by the Lord Chancellor and the Vice-Chancellor, who never try issues at all? One of his great objections to the present course of proceeding was this. Every Chancellor and every man practised in Chancery, knew that the cases least of all fit to be tried on affidavit were those which involved questions of fact—the questions whether a man owes a certain sum of money, whether he has committed an act of bankruptcy, whether he has denied himself, whether he has left his home with intent to avoid his creditors, are all questions of fact more fit to be tried by a Jury than by a single Judge on affidavit; the question whether a man was in trade, was not so much a question of fact– or whether he was in trade within a certain time; all these questions were at present tried by the Great Seal or the Vice-Chancellor on affidavit. In the very last case of this description which came before him, he was between eight and nine hours engaged in hearing a mass of affidavits, of which from sixty to seventy had been filed, affidavit meeting affidavit, containing all kinds of denials, explanations, contradictions, and admissions, new facts, and again, denials of these new facts—witnesses swearing three, four, and five deep, and the whole of this mass of evidence was brought in and flung at his head—to use a Westminster-Hall phrase—and with the assistance of counsel who threw them at his head, he had to decide upon this mass of evidence. It used to be the case in the Courts of King's Bench and Common Pleas, that a man got up and read, not giving the Court the essence and substance of the affidavits, but reading, school-boy like, affidavits, first one, then the other, and then on both sides, made a few observations, and sat down, giving place to another man not a whit better than his predecessor. In Chancery, however, a counsel went through the case, and opened it at great length—then came another counsel—the junior, and read the greater part of the affidavits, and then four or five counsel got up, one after another, and addressed the Court, it being the practice in Chancery to open every possible door for the admission of counsel, and any number of counsel was allowed; but in the Courts of Common Law, as his noble and learned friend knew, cases were always, or, at least generally, discussed by one counsel on each side, with the assistance of a junior: in them there was a limit, but in the Court of Chancery there was no limit, and ten counsel might speak on each side. That, however, was not all; cases perpetually occurred in which there might be ten different parties, each of whom might have the shadow of a separate interest. In ninety-nine cases out of 100, these interests were substantially, though not legally the same; and the Court had to hear the same argument repeated over and over again with equal prolixity, before it could arrive at the question of fact respecting which the parties were at issue. This might be good for many purposes—it might be excellent for counsel and excellent for attornies, who expended their client's money in the shape of fees—it might be admirable for loss of time, too—a part of the surplus population might die off, and there might not be so many parties to receive the property; but there was one thing it was not very well adapted for, and that was, for arriving at the merits of the case. He did not complain of the length of time occupied, but the system was not a good one for ascertaining facts. His noble and learned friend knew, from long experience of able advocates—himself being one of the ablest of his day—that it was quite sufficient for a man to get up and state the case succinctly and clearly. He would do Common Lawyers the justice to say, that nine times out of ten, they did not occupy the attention of the Court for a longer time than was necessary; indeed, they were careful not to enter into the subject too much at length, because, not having the matter before them in detail in the affidavits, they were always afraid the witnesses should not come up to their statement; and, therefore, they said what was necessary for the purpose of making the Judge and Jury understand the case. There never was a better system of getting at facts than Trial by Jury, under which a counsel rose up in his place, and gave a clear and succinct account of the whole case, as was done in our Courts of law; he then called his witnesses, who stated the facts, instead of exhausting himself as counsel in the Court of Chancery would do, and exhausting the Court by making a speech of four or five hours, and never coming to the facts, as if they were not material; he had then a number of affidavits read; and again he exhausted himself by making another long speech in reply. In the Courts of Law the counsel directed their whole knowledge, their whole experience, and their whole attention, to that which was the most material part of the case—the truth of the matter; the Court also had much better means of judging, from the manner in which a witness gave his evidence in open Court, whether or not he was speaking the truth, than if it were to sit down and read long affidavits. Any man who wished to see great talents called into exercise, would do well to go to a Court of Law—let him omit the speech altogether, and see the play of the counsel during the time the evidence is adduced—how much they are on the alert, straining every nerve—careless of the speech, for experienced counsel, except on very great occasions, rarely detain the Court many minutes—but exerting their whole mind and soul, discharging their duty to their clients, by producing the facts luminously, consistently, and irrefragably before the Jury. The Jury had an opportunity of watching the demeanour of the witnesses while giving their evidence, and when submitted to cross-examination; after which came the counsel again, comforting and restoring, as it were, and setting up the broken credit of the witnesses damaged by the cross-examination. The conflict on both sides being over, the evidence of the witnesses was fairly before the Court. A Juryman, by a single glance of his eye, could frequently tell whether the witness was speaking truth or falsehood; many circumstances and details that could not be taken down in notes could frequently settle at once the credit due to a man's testimony. Was there a man in England who would not at once say, that the decision of twelve men possessing these means of information, must be better than that of one individual excluded from such advantages? His noble and learned friend would agree with him, he was sure, when he said, that the Jury were sometimes right when the Judges were wrong; and Judges sometimes admitted, that they took, what they afterwards found out to be a wrong view of the case, while the Jury took a right one. One man might be an excellent means for deciding a point of law: one experienced Judge for superintending a Jury was excellent; but twelve men were infinitely better for deciding in cases where there was conflicting evidence, and where that evidence was to be brought before them in an uncertain shape, and under a great variety of bearings;—one man took one view and another another, each seizing the case, as it were, by a different handle, until, by reflection and argument, they came to an unanimous and correct decision.

These were the advantages which Trial by Jury possessed over every other tribunal. To ascertain facts this system was the best, and one man sitting in Court to decide facts upon a mass of affidavits was the worst that could be devised. The proposition contained in the Bill, therefore, was, that all disputed matters of fact should be tried by a Jury, acting under the superintendence of one of these Judges —so it would not be solely and entirely a Court of Review, but a Court in the first instance for trying difficult and disputed facts. His noble and learned friend justly observed, that there was an advantage in having these offices filled by men of ability and experience, but he also observed, that there would be very few difficult and disputed cases, and very little for these Judges to do. With regard to that objection, the number of disputed cases which came before the Great Seal and the Vice-Chancellor in the course of the year was considerable, and, what was still more material, a considerable number of these cases, perhaps the greater number of them, never obtained a decision at all. Under the present system, too, there was always the expense, trouble, delay, and vexation of appealing to the Vice-Chancellor. The effect of the plan he proposed would be, to give a facility for the trial of cases of this description, and for trying them, which was a material consideration, without delay or expense. His noble and learned friend stated, that this Court would be substituted for the Courts of Westminster Hall; that a man might say, "I am made a bankrupt, and I consider it very hard to be denied an appeal from the Court which I dislike, to the Court which I approve of." But if his noble and learned friend would only observe, what he was about to say, he should be enabled to convince him, that his view of this part of the question was not quite correct. Assuming that there would be a sufficiency of business to employ these Judges, which was a conclusion founded on a calculation of the total number of disputed cases, he could see no objection to a man allowing his case to be decided by men continually practised in these cases. Assuming the contrary, it was not correct to say, that you exclude a man from having the benefit of the legal knowledge of the Chief Justices or other Judges, which he agreed with his noble and learned friend, was a very great benefit. The principle of the Bill was, to put a stop to arguing as to disputed facts, as was now done by petition, before the Vice-Chancellor and Chancellor, and to enable the inferior Courts to decide questions of that description by the help of a Jury. It could not be denied, that these inferior Courts would save much expense, and be just as able to form correct decisions as the Vice-Chancellor. But then it should be remembered, that if any point of law or equity was disputed, there was an express saving of the jurisdiction of the Chancellor; therefore, anything which would come into a bill of exception, if the case were tried before my Lord Tenterden, or the Court of Common Pleas, would immediately come, instead of having a bill of exception, which would carry it to the Exchequer Chamber, to the Great Seal at once. There was an express provision too, enabling the Court, should it think fit, instead of sending a case to the Great Seal, to send it directly up to that House; and his noble and learned friend knew, that there were in that House the very best authorities upon the subject, he meant those who had preceded him in office; indeed the difficulties he experienced in coming after such men were among the greatest by which he was embarrassed, although they had left him for his guide a code of sound opinions, and decisions, which rendered it only necessary for him to apply the light which their learning and wisdom, and the doctrines laid down in their decrees, had shed over all the doubtful and difficult points of equity. In particular the noble and learned Lord opposite—who, for so many years filled the judicial seat—had left such a code of equity behind him, that the Judge had only to resort to his authority. But, as he had before stated, there was a provision, that instead of going to the Chancellor, the Court below could pass him by altogether, and send the case up at once for the decision of the House of Lords. It was not correct, therefore, to say, either that the benefit of an appeal to the twelve Judges, or to this House, or to the Chancellor, or the Vice-Chancellor, or their Lordships' House, was to be excluded. It certainly was excluded in matters of fact, but not in matters of law. Another observation of his noble and learned friend which struck him rather forcibly, was, his objection to one man, in a case of bankruptcy, ultimately making another a bankrupt; but that was here provided for.

His noble and learned friend also objected to giving the power of making a man a bankrupt into the hands of the new Judges. By the Bill it certainly was provided, that one Judge could enter into the inquiry, but it was also provided, that the moment he found any extraordinary difficulty, either in point of fact or in point of law, he was obliged to call for further assistance. If, however, it was as clear that the man had been a trader, and that he had committed an act of bankruptcy, as that he had a nose on his face, the Commissioner then decided the case. If it were not a clear case, the Commissioner adjourned it for further consideration, and then obtaining the assistance of two other Commissioners, the three, sitting together, would decide upon the facts, and adjudge accordingly. He apprehended, therefore, that a man would never be found a bankrupt by one Commissioner, in any but a straightforward and plain case. At present, in straightforward cases, one Commissioner did the business; and the moment a necessity arose for what was called a private examination, which only took place in cases of difficulty, then the other two came to his assistance, and the whole three took the case into their hands. His object had been, to select whatever was good or worthy of preservation out of the present system, and in this instance he proposed that the new Commissioners should proceed on the principle on which all the Lists now act, but with a great improvement, in consequence of the provision which had been made for cases in which anything like difficulties arose. His noble and learned friend had said, that there ought to be a notice given to a bankrupt, before you take possession of his property, and that he ought not to be found a bankrupt *ex parte*. That was a subject, as his noble and learned friend knew well, which had been a question of long, anxious, and difficult inquiry, among legislators and lawyers, ever since the Bankrupt-laws existed. At present, a man might be made a bankrupt, and his goods taken possession of, and he know nothing whatever about it. This might all be done behind his back; it had been long objected to, but it was impossible to say more about it, unless some tolerably easy and safe means of abolishing the practice could be suggested. In Scotland, on a petition for a sequestration, which is a proceeding in the nature of a Commission of Bankrupt, ten days' time is given the party before execution; that is to say a rule *nisi* was taken out, which expired in ten days, giving the party an opportunity of superseding the Commission. It was one thing, however, to have a system of law long established in a country which had never known a different system, and it was another thing to introduce a practice into a country which had never known anything whatever of it, and therefore it by no means followed, because the system worked well in Glasgow, that it would also be beneficial in Liverpool or London. That was, no doubt, a question well deserving of discussion; and accordingly, he begged to state to their Lordships, and to his noble and learned friend, that it had received a great deal of consideration. He proposed, in the first instance, to introduce this system of the rule *nisi*, which was one of the principles in the sketch of the Bill which he laid before certain learned individuals for consideration; but he withdrew it, because it was agreed, that although the subject was always open to the modification, which his noble and learned friend's long experience had suggested, yet, that at all events the seizure of goods must be *ex parte*, though the making a man a bankrupt might take place after a few days' delay: but then there would be this great difficulty, that though you seize the goods, you could not prevent him from tampering with his creditor, unless something like a bodily attachment, or arrest, was introduced. They could not do this, however, without being the cause of as much mischief as would arise from declaring a man a bankrupt at once. On the whole, it was considered better, that the property should be seized as heretofore, and that the point of bankruptcy should be left for the consideration of another tribunal. His noble and learned friend complained of the expense of the system which it was proposed to introduce. His noble and learned friend had stated the expense of the Commissioners at 9,000*l.*, which was only taking so much out of the estate in one way instead of another. There were at present seventy Commissioners of Bankrupt; and one list had returned that their incomes averaged from 300*l.* to 400*l.* a-year, so, that instead of 9,000*l.* this would make about 25,000*l.* annually, taken out of bankrupts' estates for the fees of the Commissioners. But the profits of Commissioners of Bankrupt did not average so little as 300*l.* a-year; however, call it more or call it less, it was far above the noble and learned Lord's statement; and if 9,000*l.* were deducted from his estimate of the present expense, the ultimate saving by the proposed plan, would be at least 22,000*l.* From calculations he had made, including the expenses of bargain and sale, the salaries of the Commissioners, and various other expenses, there would be a great saving of expense, and there would be a saving of from 11,000*l.* to 12,000*l.* by the appointment of official assignees. It was clear, that it was not for their Lordships to go into the amount of salaries; that was to be dealt with elsewhere; nevertheless, he agreed with his noble and learned friend, that if he could not support this part of his case, it would be a very great objection to the introduction of this Bill. He was convinced there would be a saving in the whole of about 24,000*l.*; but take it at 20,000*l.* and even then, at all events, the proposed plan was not a measure of extravagance, but one of economy. His noble and learned friend entered more into detail with respect to some other parts of the plan, into which inquiry he should not follow him; but he would detain their Lordships one instant, by saying a word with respect to fees. His noble and learned friend said, that in the Bill it was enacted, "That from and after the passing of this Act, all fees in bankruptcy, &c., or any other matter whatever, shall entirely cease and determine." That was very true—that would be the effect of the clause if it stopped there; but if his learned friend had exercised his power of reading a little longer, he would have found it was different; for, after a comma, it continued thus: "save and except such and such fees as are provided for by this Act, or set forth in any schedule of fees to be settled or allowed from time to time by the said Court of Review, with the approbation of the Lord Chancellor, to be signified by him." Thus there was to be a schedule of fees, which was to be allowed by this Act. He did not know whether their Lordships had taken the trouble to advert to it; as it was quite clear, that it was a subject for the consideration of the other House of Parliament, being a question for them to deal with. He had trespassed a long time on the attention of their Lordships, but he trusted that his anxiety to render the bearing of this measure clear and intelligible to every body would plead his excuse. He had now answered all the objections which had been brought forward against this measure. He did not recollect any requisite explanation; but if any of their Lordships could remind him, he should feel much obliged. He meant to make one or two observations respecting the present Commissioners, which escaped his recollection on the former evening. He thought he had, on a former evening, clearly explained the defects in the selection of the present Commissioners; but there was another point which he omitted on the last evening to state, namely, that in consequence of the number of the present Commissioners, a great number of inferior men were, *ex necessitate*, appointed by the Great Seal to the situation of Commissioners; but there was another objection: these inferior Commissioners had a salary of but 300*l.* or 400*l.* a-year; and consequently they received an inferior portion of this inferior man's time. It was absolutely impossible that any man, in the situation and rank of life of a barrister, with, perhaps, a family to support all the year round, in winter and in summer (for there was no long vacation for a Bankrupt Commissioner), could give up his time for the small pittance of 300*l.* or 400*l.* a-year. It was perfectly well known, that they never thought of appearing in their proper places, if they could possibly get better retained elsewhere; so that they acted as Commissioners when they had nothing better to do; or, in other words, in return for the small pittance which was allowed to them, they gave the fag-end of their time. They all attend during Term time to their professional avocations as Barristers, in Westminster Hall, and in the Court of Chancery; and out of Term time they went the circuit. All this resulted from their being ill-paid. This was a great objection to the present system, and one which was effectually removed in the system which he proposed; for they would have ample remuneration, and, by this means, their duty in the Bankruptcy Court might monopolize their time all the year round. It was said, that it was impossible to get good men to surrender their Court-practice (for the new Judges were altogether forbidden from practising in their profession) for such a small sum as the Bill proposed to give to them. On this point he differed. He was sure they should be able to find as good men as any at the Bar, who would not only be willing to give up their practice for the appointment of one of these judgeships, but would be entirely satisfied with their lot. It was very well known, that professional excellence and professional rank did not always go hand in hand. There were many men of first-rate talent at the bar at this moment, making but 3,000*l.*, or even 2,000*l.* a year: while others, perhaps their inferiors, but certainly not more than their equals, made 8,000*l.*, 9,000*l.*, and 10,000*l.* It was not, therefore, an absurd speculation to expect to find good and efficient men, whose professional remuneration had not kept pace with their legal acquirements and talents, who would be glad to surrender a doubtful professional income of 3,000*l.*, or 5,000*l.* a-year, for a secure salary of 2,000*l.* He could name many men of first-rate professional acquirements, even now in the possession of silk-gowns, who would be extremely glad to make such an exchange—and this was very natural, for the one was permanent, and the other insecure. The one only ceased by death; while the other was of so uncertain a tenure, that a breath of wind might destroy it. The very lawyer at the head of the circuit which his noble and learned friend went when a Barrister, had told him, that he would be glad to get one of the situations: and one of the twelve Judges was at this moment prepared to leave the bench if he could obtain one of the appointments. Now this latter fact was a pretty good argument against his noble and learned friend, and, as an ounce of fact weighed heavier than a stone of argument, he had submitted it to their Lordships' attention. He did not say this from any disrespect for his noble and learned friend; indeed, he should be inclined to admit that, generally, his noble and learned friend's stone of argument might be equivalent to an ounce of sense, but, on the present occasion, he had certainly formed a wrong conclusion. He was a little surprised to hear his noble and learned friend say, that it would be difficult to get competent Barristers to fill these situations, when he, *in propria persona* furnished him with a strong argument against his own position; for what were the circumstances under which he, his noble and learned friend, left his profession? He was in the receipt of one of the largest professional incomes then made at the Bar; an income, too, which could never sensibly fail him, except in the event of death or continued ill health. And what did he do? His professional income amounted to—he would not say 20,000*l*, or 30,000*l.* a-year—but, at all events, to a very large amount, and yet he gave it up to take a small income, with a seat on the Bench? This was not at all strange, but it certainly did surprise him to hear his noble and learned friend express a doubt of their ability to induce competent professional men to surrender good professional incomes for the salary of 2,000*l.* per annum. Many would be found ready to do so, some from ill-health, others from fatigue arising from professional labour, but all in the prime of life, and with the full possession of their faculties. He did, therefore, entertain no fear of being able to obtain competent candidates for these situations. He did not mean to say, that all of them would be men of equal competence, but they would be all respectably so. His object in filling up the appointments would be to select a portion of the number from Barristers with silk gowns on their backs. He was most anxious that such men should be chosen, because, if they started the Court with a set of men eminent for their professional acquirements, it would stamp it with a name, and effectually prevent the vacancies from being filled up hereafter with any but eminent and competent men. His noble and learned friend had said, that great embarrassment would attend the filling up of these places, and seemed to recommend that a portion of the seventy Commissioners who were to be disbanded should be selected. Now, on this point, he should only observe, that, in the selection, if he should find a name on any of the lists equally competent with that of any other claimant, he would decide in favour of the present Commissioners. This he would do for two reasons—first, on a principle of justice, and secondly, that by doing so, he should save that compensation to individuals to the public purse. On the subject of compensation, as he had accidentally mentioned it, he would say a few words before he sat down; but first, he was desirous of making one or two observations with respect to the official assignees—a portion of the plan which he was sorry to see did not meet with the approbation of his noble and learned friend. There was no part of the Bill which he liked more than this. It was a common remark, that no persons looked less after their own interests than the honest creditors—and, consequently, it was those whom it should be the duty of a Legislature to protect—of either a bankrupt or an insolvent. The moment a docket was struck, or a declaration of insolvency filed, they became desponding, gave up all for lost, and would take any thing for their chance—indeed, he had known cases where men had taken 100*l.* for a claim on a bankrupt's estate for 10,000*l.*; and, in consequence of their despondency and inattention, they became the prey of another class of creditors less careless—he meant one or two jobbing people, the friends of the bankrupt, who, for the sole purpose of jobbing, took great pains to attend to the bankrupt's affairs. Again, if the creditors did not attend, the bankrupt, if he were a rogue (and bankrupts but too frequently were), would manage to create a sufficient number of debts, in order that he might have the majority of his creditors at his disposal, and thereby, in the first place, get better treatment, and secondly, procure a sufficient number of signatures to his certificate. In fact, but few cases were heard in Basinghall-street, in which the bankrupt and fictitious creditor did not join to create debts. This constituted one inducement for the appointment of these official assignees, for they would at once, on the docket being struck, take into their possession the property of the bankrupt. There was another inducement, an important one, and that was, that assignees were generally persons in the interest of the attornies or solicitors to the Commission, and their resistance to perform their duties very often threw the whole property of the bankrupt into a Law Court, by which the Attorney's costs were of course, much increased. Now, when the duties which were at present discharged by Assignees chosen by the creditors, were placed in the hands of proper and responsible persons, who were to have the decision as to the necessity of a legal opinion, all this much complained of collision between assignee and solicitor would be defeated; and as certain rules were to be laid down for the regulation of the conduct of these official assignees, the frequent recourse to the Law Courts would be very much diminished. As to the difficulty which his noble and learned friend seemed to think would be experienced by these individuals in finding sufficient security, all he should say was, that if a man could not get security for 2,500*l.* for he must give this amount of security—before the Accountant of the Court—two sureties of 1,000*l.* each, and his own security for 500*l.*, he was not fit to be appointed to the situation of Official Assignee. These were the only remarks which he thought necessary to make, and he trusted they would prove satisfactory to their Lordships, and in particular to his noble and learned friend. The Bill was now fully before their Lordships, and it was for them to decide whether it offered greater advantages than the existing system. He did not mean to say it was perfect—that would be impossible. He maintained, that every measure to alter the existing law must of necessity be imperfect. He knew it would require revision, and if it was to be revised, he would, on that account, take no blame to himself. He was so well convinced of the impossibility of rendering any legal measure perfect, if he might use a medical phrase, by the first intention, that he should feel surprised if, within a year and-a-half, the measure which he now looked on as complete as circumstances permitted, would not require amendment. Before he concluded, he would wish to say a very few words on the topic of compensation. This was a topic which more concerned the other House of Parliament to consider than their Lordships; but thus much he would say in reference to it—he would recommend, that if it were the intention of the Legislature to facilitate the completion of this measure, and to pass it in such manner as to entitle it to the satisfaction of the country, they should not haggle with respect to compensation. If they did, they would raise against it a host of interested, and consequently zealous antagonists. But putting this consideration out of the question, justice, as well as policy, demanded of them that they should give compensation to all those whose interests would be affected by the change. He knew that this was a principle of policy concerning which many different opinions existed out of doors, but at the same time he should ever maintain it. Such were his sentiments on this point, and having thus briefly stated them, he would now sit down, thanking their Lordships for the patience and attention with which they had been pleased to hear him.

The Duke of *Wellington* was very happy to hear the few last words which had fallen from the noble and learned Lord. He confessed that he had felt very strongly on the case which had been stated the other evening of Mr. Thurlow. He understood that an office had been granted by patent to Lord Thurlow's nephew, and that the Bill before the House went to abolish that office. If the patent were legally granted, he was of opinion that Mr. Thurlow was as much entitled to retain that office as any one of their Lordships his estate. He therefore trusted, that the noble and learned Lord, and the King's Ministers, would not permit the Bill to pass into a law, unless compensation was awarded to Mr. Thurlow.

The *Lord Chancellor* observed, that Lord Thurlow had gone out of office in 1792, and had lived for twelve or fourteen years after, without any retiring pension, which was not granted to Chancellors when he went out of office. His patents were, therefore, vested rights, not merely as gratuitous grants, but, as having been purchased since, they were only what he had instead of the retired pension. No doubt, therefore, Mr. Thurlow would have an adequate compensation; but that must be settled in the other House. There were other cases in which compensation must be allowed, so that the immediate public saving would not be by any means so large as it would ultimately be.

The Earl of *Eldon* said, that Lord Thurlow had been Teller of the Exchequer, and it had been proposed in the House of Commons, that if he would state what income he had when made Lord Chancellor, the House would make it up to him. Lord Thurlow was a man of high spirit, and refused to make any bargain on the subject. Compensation had always been made to patentees, and often even to men who did not hold their offices for life, on the principle that the best men would not accept such offices if they were precarious. He would defer the observations he had to make on the Bill till another opportunity, and there were two points which he should feel called upon especially to notice. The first was, the low rate of salaries would not obtain such persons as ought to hold a judicial situation, and the second was, that the creditors were to pay the official assignee. He must further take the liberty of intimating to the noble and learned Lord, that it would be dangerous to touch the property of suitors in Chancery, except for the purpose for which the fund was raised. The Suitors' Fund was raised for a specific purpose.

The *Lord Chancellor* said, that the Suitors' Fund was only to be applied in the event of a deficiency occurring in the other funds, which he thought was very unlikely to happen.

The Earl of *Eldon* said, he did not like any interference whatever with the fund.

Lord *Wynford* said, it had been an understanding between him and the noble Duke, that he should make no observations relating to the case of Mr. Thurlow, but the manner in which his noble and learned friend had alluded to the circumstance, had given him very considerable satisfaction. He had laid down a rule which ought to be acted upon in all such cases.

Lord *Plunkett* was convinced that an alteration in the present system was expedient, and he entirely concurred, and felt great satisfaction in saying so, in the measure proposed by his noble and learned friend to amend it. He had some experience in bankruptcy cases, and from the situation he had the honour to hold, that experience was daily increasing, and he felt that a great reformation was required. What he rose for, however, was, to notice a circumstance which the delicacy of his noble and learned friend on the Woolsack had not permitted him to mention. He would lose a great deal of patronage by his own measure, and even this very patent place of Mr. Thurlow might have been at his disposal, had it not been for this Bill. Although his noble and learned friend had not mentioned it, the gratitude and thanks of the public were not the less due to him.

Lord Wynford's Amendment negatived without a division.

The Lord Chancellor added some verbal amendments, and the House resumed.

HOUSE OF COMMONS,

Friday, September 23, 1831.

Minutes.] New Members. For Derbyshire, Lord Cavendish; for Wallingford, Thomas Charles Leigh, Esq.

Petitions presented. By Mr. Johnstone, from the Fife District of Burghs, and several individual Boroughs in Scotland, praying for Representation. By Mr. Traill, from the Inhabitants of the Shetland Isles, praying that the Franchise should be extended to them; and from Caithness against the use of Molasses in Distilleries. By Colonel Lindsay, from the Royal Burgh of Kilrenny, praying for Representation. By Mr. O'Connor, from the Inhabitants of the District of Emill (Roscommon), for Public Aid to reclaim the Waste Land in that district.

By Mr. **Estcourt**, from a Parish in Gloucestershire, against the Beer Bill. By Lord M. W. **Graham**, from Dumbarton, against the Scotch Reform Bill.

Explanations.] Colonel *Torrens* said, that though he might not be strictly in order, yet he trusted that he might receive the indulgence of the House while he asked a question of the hon. member for Boroughbridge, whom he saw in his place. He having long been a liveryman of the city of London, was, on a recent occasion, requested to move at the Common-hall the petition of the Livery to the House of Lords in favour of the Reform Bill. The hon. and learned Member, on a previous debate, when he was not in the House, had thought proper to animadvert on certain expressions which he was supposed to have let fall on that occasion. Had the hon. member for Boroughbridge not failed in the usual courtesy due from one Gentleman to another, he might have been saved the trouble of descanting in that House upon the proceeding which took place at the Common-hall. He did not wish to wear his opinions loosely about him. He always endeavoured to fix them in their proper places by some peg of argument—some buckle of reason. The expressions to which the hon. Member had objected were used hypothetically, and described the position of the House of Lords in what he hoped and believed to be an impossible case. Conceiving that the desire for Reform throughout the country was not a temporary impulse, but a sentiment growing necessarily out of the state of improvement at which we had arrived, he was under the conviction that this desire would not pass away, but would increase with the increasing intelligence of the people. On the supposition, therefore, that the demand for Reform would certainly become more general and more intense on the part of the people, and that it would be pertinaciously resisted on the part of the House of Lords, he had put the question, what the position of the House of Lords under these circumstances might ultimately become; and he answered the question by saying, that such unwise resistance to a perpetually increasing force, would lead to more sweeping demands on the part of the people, until, in the heat of popular excitement, a change might be demanded in which the House of Lords might find themselves placed in schedule A. This was the expression to which the hon. member for Boroughbridge objected. Now that hon. Member was peculiarly gifted with a fertile imagination and a creative fancy; and could, no doubt, readily supply some more correct and appropriate image by which to represent the position of the House of Lords under the circumstances supposed. He called upon the hon. and learned Member to substitute a more correct and appropriate expression for that to which he had objected. He had no partiality for the expression; it was thrown off under the excitement of the moment; and it was, doubtless, open to correction. On the hon. and learned Member who raised the objection the task of correction naturally fell. It could not fall into more able hands; and therefore he called upon the hon. Member to furnish a more appropriate expression to designate the position of the House of Lords, under the supposition that the desire for Reform should perpetually increase on the part of the public at large, and should be perpetually resisted by the Peers. He would not defend the unpremeditated expression he had himself employed, but he was entitled to call upon the hon. Member who objected to substitute a better.

Sir *Charles Wetherell* said, the hon. and gallant Member had been pleased to say that he was a person of fancy and imagination. He had no pretensions to such qualities, but the hon. and gallant Member certainly had fancy to imagine a case which he could not fancy. In the debates on the Reform Bill, he had alluded, as he had a right to do, to a speech which the hon. and gallant Member had delivered elsewhere. In that speech the hon. and gallant Member had scheduled the House of Lords; and that being the case, he (Sir C. Wetherell) had a perfect right to animadvert upon such words in that House. He did that which he had a right to do—he referred in the course of the debate on the Reform Bill, to a speech which he found attributed to a Member of that House, and he argued, as he also had a right to do, that there was abroad a spirit of insolent threat and of unconstitutional terrorism, bordering even upon illegal threats, and an actual breaking the law, the object of which was, to overawe the deliberations and the decision of the other portion of the Legislature, with regard to the measure of Reform. He thought that in following up such an argument as that, his allusion to the speech attributed to the hon. Member was not out of place, and the approbation with which the House received his observations on that occasion, proved that the House did not think them irrelevant to the subject then before it. When it was notorious that the public press was pursuing an illegal and unconstitutional system of threats and intimidation on this subject, if he could show, that a Member of that House had, out of that House, to a certain degree participated in those threats, he had a perfect right to do so. The hon. Member had now thought fit, in the exercise of his discretion, to revive this topic. That was the hon. Member's affair, and not his. The hon. Member had not, however, imputed to him any mis-statement or misrepresentation of the opinions which he had expressed at the meeting of the Livery. He had been asked if he could not suppose, that if the Lords exercised their undoubted right, and rejected, as he trusted they would, the Reform Bill, and all similar Bills whenever brought before them, that the consequence would be, the Lords would be placed in schedule A? He replied to that interrogatory, that he could suppose no such thing. He must say, that exerting his fancy to the utmost stretch, driving imagination to its wildest flights, and pushing it into the ultimate wilderness of extravagance, he could imagine no case in which the House of Lords could be scheduled which did not necessarily and inevitably involve a tumultuary, violent revolution, destroying, with the House of Lords, the House of Commons, the Crown, the Constitution, and the Church. But the hon. Member treated the result of the supposition which he had made rather in the way of a fact than of a piece of fancy. He had insinuated, that resistance on the part of the House of Lords would lead to that noble body being placed in the schedule A in some future Bill. Now the hon. Member was a soldier, and a gallant one, and what would he say to that adversary who attempted to intimidate him from doing his duty by threats? Did the gallant Member suppose the Peerage of this country had no feelings of high honour or of courage to maintain? Did the gallant Member imagine, or could his fertile fancy, for he was the fancier, lead him to entertain in seriousness the thought, that a noble and illustrious body like the House of Peers would be frighted from the discharge of their duty, lest they should be scheduled and destroyed by some future bill as revolutionary and jacobinical as the present Reform Bill?

Colonel *Torrens* was happy to find that he had not paid an exaggerated compliment to the fertile imagination of the hon. and learned Member. The hon. Member was asked to substitute for the expression which he had censured, an expression more appropriate, and he replied by a discursive flight of fancy. He was satisfied at finding that the hon. and learned Gentleman could mend the language at which he cavilled. He was asked to define what the position of the House of Lords would become, should their Lordships pertinaciously resist a permanent and constantly increasing demand on the part of the nation for Reform? He repeated, that he had no wish to defend the hasty expression which he had thrown out, as in some way descriptive of their Lordships' position under the circumstances supposed; but he contended, that the hon. and learned Gentleman was not entitled to censure that expression, unless he could substitute one less exceptionable, and more appropriate.

Subject dropped.

Call of the House.] Captain Berkeley moved for leave of absence for a fortnight, on urgent private business, for Lord Mexborough.

Mr. *O'Connell* must object to the Motion, and he hoped the hon. Member would not press it.

Lord *Stormont* complained of the hon. and learned member for Kerry giving notice of a Call of the House, and then postponing it; keeping a rod hanging over their heads from day to day, which was extremely inconvenient.

Mr. *O'Connell* said, that he had no pity whatever for the noble Lord; being himself a member for Ireland, he could not take those flights backwards and forwards which the noble Lord was able to take; and he, therefore, did not see why he should give up the Call of the House. His reason for postponing the Call of the House was, because the Irish Reform Bill had been postponed.

Sir *John Sebright* thought that the hon. member for Kerry had done perfectly right, in postponing the Call of the House till the object for which he desired it was coming forward.

Mr. *John Smith* was astonished at the

noble Lord (Stormont) having undertaken to lecture Members about a Call of the House. He thought, that the only real way to enforce a Call of the House was, never to carry it into execution.

Mr. *Goulburn* denied that his noble friend had lectured anybody. He, for his part, did not object to any course that the hon. member for Kerry might take as to the Call of which he had given notice: most likely, whether there was a Call or not, he should be present.

Sir *John Brydges* admitted, that the first duty of a Member of Parliament was, his attendance at that House; but still, as all men necessarily had important private business to transact, a Call of the House, hanging over the heads of Members, was excessively inconvenient.

Leave given.

PEMBROKE ELECTION.] Sir *Robert Price* brought up the Report of the Pembroke Election Committee, as follows:—"That the Committee on the Petition of the several freeholders of the county of Pembroke, complaining of an undue election and return for the said county, have determined, that Sir John Owen, Bart. is not a Knight duly elected to serve in this present Parliament for the county of Pembroke. That the last election of a Knight to serve in Parliament for the said county is a void election. That the said petition did not appear to the said Committee to be frivolous or vexatious. That the opposition to the said petition did not appear to the said Committee to be frivolous or vexatious." Ordered to be entered on the Journals. The hon. Baronet stated, that the said Committee had come to the following resolutions—"That the conduct pursued by the High Sheriff, and by those under him, was strongly marked by a culpable neglect on his part, partiality on the part of the Under-Sheriff and some of the Sub-Sheriffs, and the inefficient conduct of the Assessor. That the Committee consider it to be their duty to report in such terms, more especially as they found their decision that the election is void, on the strong impression of such improper conduct having prevailed."

On the motion that these resolutions do lie on the Table,

An *Hon. Member* inquired if the hon. Baronet meant to institute further proceedings.

Sir *Robert Price* said, that he should, at all events, move that the minutes of the evidence taken before the Committee be laid on the Table of the House; but he should not move that they be printed, as it was not his intention, nor he believed that of any Member of the Committee, to institute further proceedings. He, however, thought it right that the House should be in possession of the evidence, so that, if any Member thought that further investigation was necessary, he might have the necessary documents. He hoped, however, that the Resolutions of the Committee would be sufficient to prevent the recurrence of such conduct.

Mr. *George Robinson* begged to inquire, whether the same returning officer would be employed at the election about to take place, as made up the last return.

Mr. *Robert Gordon* wished the hon. Baronet would point out how any Member could take further steps if the evidence was not printed?

Sir *Robert Price* observed, that his hon. friend had wholly mistaken him; he had no objection to the evidence being printed; he had only said, he should not move for it to be printed.

Mr. *Dominick Browne*, as one of the Committee, stated, that the feeling there had been, that these Resolutions would be found sufficient; they had reason to believe that the Sheriff was an impartial man, but of a timid disposition, which had led him into the errors complained of.

Sir *George Warrender* thought the House ought to have the evidence full before it. The hon. Gentleman who spoke last, had given sufficient reasons why the Sheriff should not again have a writ directed to him.

Mr. *C. W. Wynn* said, that as there would be another opportunity of discussing this subject, he thought that any debate at present was premature.

The Resolutions ordered to be laid on the Table, as well as the Minutes of Evidence.

EDINBURGH UNIVERSITY.] Sir *George Murray*, on presenting the Petition from the University of Edinburgh, of which he had given previous notice, praying that the University might, by the Reform Bill for Scotland, have Representatives in that House, said, it appeared to him that the prayer of the petitioners was reasonable, as the Universities of Dublin, of Oxford, and Cambridge, were all represented in that House; and as, by the Irish Reform Bill, Dublin University was about to have an additional Member. It was unnecessary for him to eulogize the eminent men who had been distinguished members of that University, many of whom of the last half-century he had the good fortune to be acquainted with. He need not do more than name Dr. Robertson, Dr. Blair, Dr. Munro, Dr. Black, Professor Playfair, and Mr. Dugald Stewart—all of whom were members of that University—to show what importance ought to attach to that place of learning. Their names were familiarly known in every part of the civilized world where religion, literature, and science, were known and cultivated. He begged leave to recommend the petition to the favourable notice of the Lord Advocate, and he knew he could not recommend it to a man more desirous of giving every consideration to the subject which the petition deserved, coming from a body so learned and scientific. He hoped that the Learned Lord Advocate would recommend it to the members of his Majesty's Government, and that the petitioners would find their prayer was granted.

Mr. *Robert A. Dundas* supported the prayer of the petition. It had been said, that there might be some difficulty in finding a proper constituency for the Scotch Universities, as the degrees taken there were not the same as at the English Universities. There was, however, an inquiry now taking place with respect to the Scotch Universities, and it might be worth while to consider whether it would not be right to enforce a certain course of studies, so as to ensure a respectable constituency.

Sir *William Rae* said, after the observations which had been made by the mover and seconder, he would content himself by simply saying, that the petition well deserved the attention of Government.

The *Lord Advocate* said, that any proposition in behalf of the Scotch Universities, could not find any one more favourably disposed towards it than he was. The subject had been before his Majesty's Government already; and that House would now soon have an opportunity to consider the arguments for and against such a proposition; he would, therefore, abstain from any further remark at present, merely contenting himself with observing, that so far as a favourable consideration went, it would find a response in his own breast, and he had no doubt in that of every member of his Majesty's Government.

Mr. *Warburton* said, that the best way of judging of the benefit of having University Members was, to look at the effect existing with respect to the English Universities; and he begged to inquire, whether the Members returned to serve those Universities in Parliament had been distinguished by their literary or scientific attainments? Had the Universities selected men acquainted with scientific subjects? For his own part, he believed that the political opinions of the Members had been attended to by their learned constituents, rather than their acquaintance with scientific subjects, or literature. Whenever the subject of the petition came under discussion, he should be prepared to give it his opposition, and state his reasons for doing so.

Sir *George Warrender* bore his testimony to the high respectability of the character of the petitioners; the constituency would consist chiefly of members of the Scottish Church, many of whom took degrees at the Universities, and a more honest, upright, and independent, body of electors could not be had in the kingdom.

Mr. *Kennedy* considered the present moment not the fittest period for entering upon the subject.

Sir *John Walsh* protested against the opinions expressed by the hon. member for Bridport (Mr. Warburton), and said, that Ministers had not shown their distrust in the electors of the two Universities exercising their right in the way they thought most conducive to their own interest; for it so happened, that of all the great changes which had been effected in the Reform Bill, the mode of election at the Universities had been preserved by a special clause introduced into the Bill. He could not, therefore, agree in the hostility pronounced by the hon. Gentleman against the Universities. He was not sorry to hear from the Lord Advocate that he invited a full discussion upon the subject. If, however, when the Bill had passed a second reading, no provision was made for the University of Edinburgh, he should feel it to be his duty to move a resolution that the Committee be invited to provide for that University.

Petition read.

Sir *George Murray*, on moving it should be printed, observed, that in giving the franchise to a University, the great object they had to look at was, to establish an independent and respectable constituency. Having done that, they might leave them to judge for themselves of what the political opinion of these Representatives should be.

The petition was ordered to be printed.

Sir William Rae presented a similar petition from the University of St. Andrew's, which was read, and laid upon the Table.

PARLIAMENTARY REFORM—BILL FOR SCOTLAND—SECOND READING.] The Lord Advocate moved the Order of the Day for the Second Reading of the Reform Bill (Scotland).

Mr. *Goulburn* inquired on what day the Irish Reform Bill would be brought forward?

Lord *Althorp* stated, that it stood for Monday; but he could not bring it forward on that day. He wished to consult the convenience of the Members in bringing it on. He had not yet been able to ascertain whether it was their wish that it should be discussed on alternate nights with the Scotch Bill, or that the latter should be first concluded. When he had ascertained that, he would inform the right hon. Gentleman when the Bill would come on.

The *Lord Advocate* then proceeded. He rose, he said, in the terms of the order which had just been read, to propose to the House that the Bill for reforming the Representation of Scotland should be read a second time. When he looked to the nature and the state of the Scotch Representation, to what it had been since the Union, and long before, and when he looked at the nature of the change proposed, he did not consider it would be necessary to trespass on the House at length, considering the greatness of the object, in order to induce the Members to give the Bill their cordial assent. It was impossible, however, not to know that indications of dissatisfaction had appeared; not merely at its details, which were not then to be considered, but at the whole measure; and there even existed discontent at any change, as appeared by the special notices given by hon. Members. He was afraid, therefore, that it would be expected that he should trouble the House with some few observations before making the Motion. He believed the House of Commons was aware of the defects which had always prevailed in the Scotch system of Representation; but from the opportunities he had had of conversing with the Members of that House, he did not think that the nature of that system was familiar to them, and he was led to believe, that an imperfect idea was entertained of the incredible defects it contained. The system was indefensible in every part, and it was difficult to explain how it had existed so long in the sight of England, after it had become a part of the empire. But he must say, that any erroneous view entertained of that system might have been dissipated by an observation which he had heard, not without surprise, from the right hon. Baronet (Sir Robert Peel), in the excellent speech he made on the question that the English Reform Bill do pass. The right hon. Baronet had then alluded to the Scotch system of Representation, as calculated, by its utter and total rejection of the popular element, to counterbalance the excess of the democratic spirit which he imputed to the proposed change. The system of Scotland was not a representation of the Crown, nor of the Peers, nor of the great landed proprietors; but, excluding all these, it was only the representation of a most insignificant oligarchy, not very high in rank or station, and of which the majority was not even connected with the great landed interests. The whole constituency of thirty counties, the whole number of the voters, according to the list of freeholders, did not exceed 3,000, from which were to be deducted between 500 and 600 who had votes and freeholds in two or three counties, making the whole number of voters not exceeding 2,400 or 2,500—a constituency for the whole of Scotland below the average of the smallest counties in England. The constituency of the boroughs was quite as bad. It consisted of the majority of the Town Councils, who elected each other, and the numerical amount of the whole was only 1,440 for the sixty-six boroughs of Scotland. The whole constituency, then, of Scotland, both for the counties and boroughs, was less than 5,000, and probably did not exceed 4,500. The qualification for the right of voting was derived from what were called Superiorities—a species of right without any real property, which were disposed of in the market, and gave a man no more power over the land than that they reserved to him some nominal right, such as a pepper-corn rent. All the 2,500 freeholders, who made up the whole constituency of the counties, and were possessed of the right of voting, were not actual landed proprietors. He did not know the actual number of freeholders who were at the same time landed proprietors, but he believed that those who merely owned superiorities were more than the half of the whole; so that, therefore, the half of these 2,500 freeholders were not actually the possessors of property in Scotland. A valuable return to elucidate this had been laid on the Table; it was a list of the freeholders of the different counties of Scotland, and from it he would quote a few particulars. In the county of Argyle, in 1821, there were 47,000 inhabitants, while the number of freeholders was 115; but eighty-four of these were not proprietors, leaving, therefore, only thirty-one actual landowners to return the county Members of 97,000 inhabitants. The next place he would refer to was not of much importance—it was the county of Bute, which had a population of only 14,000, and of which the number of freeholders was twenty-one; but, according to the Return, it appeared that no fewer than twenty of these retained no property whatever in Bute, and that the whole 14,000 inhabitants were represented by one single voter living in the county. His right hon. friend opposite knew something more of the county of Bute than he did, and perhaps he knew other instances similar to that which he would mention to the House. At an election at Bute, not beyond the memory of man, only one person attended the Meeting, except the Sheriff and the Returning Officer. He, of course, took the Chair, constituted the Meeting, called over the roll of the freeholders, answered to his own name, took the vote as to the Preses, and elected himself. He then moved and seconded his own nomination, put the question to the vote, and was unanimously returned. Similar events had, he believed, taken place since. Caithness was the next county he would refer to, which with 30,000 inhabitants, contains forty-seven freeholders, and thirty-six have no property in the county. Dumbarton numbered seventy-one freeholders, but fifty-two of them have no property in the county; and Inverness, which has a population of 90,000, has eighty-eight free holders, and no fewer than fifty of them have no property in Inverness-shire. He would not fatigue the House with more particulars; he knew that, in some of the counties, the proportion of resident freeholders was greater, but he believed he did not exaggerate the proportion when he said, upon an average, that more than one-half of those who exercised the right of voting had no property whatever in the land, and that they exercised their right to the exclusion of the real landed proprietors. That was a system of glaring absurdity. It injured the resident gentry, and all those who were connected with land. The proportion of freeholders, he regretted to say, who had no property, was on the increase. The superiorities which gave them this right were a species of merchandise, were bought and sold, and were very often purchased by attornies, who found, that by expending a few hundred pounds, they could get employed as agents through the influence of a freehold qualification, and increase their business at the expense of the county. He had already stated what the proportion of the constituency in the boroughs was, and for the sixty-six boroughs, the whole number of electors was only 1,440, and they consisted of the members of the Town Council, who mutually and reciprocally elected each other. They were renewed indeed every year, but they chose one another. In Glasgow, a city containing 200,000 people, distinguished for their wealth and intelligence, the whole constituency consists of only thirty-three individuals; and, should a contest arise, seventeen persons would decide for the whole city. But moreover, they shared the right of electing a Member with three other towns, and thus the inhabitants of Glasgow have only the fourth part of a Member to look after all their great, varied, and complicated interests. Edinburgh, with 165,000 inhabitants, stood in the same predicament. The Member—it had a Member to itself—was chosen by a majority of thirty-three persons, who represented the whole intelligence of that great city, though they were themselves not distinguished for wealth and intelligence, and might, in general, be placed rather below the middle classes. He would not allude to Aberdeen and Dundee, with 50,000 or 60,000 inhabitants, each of which had only a fourth or a fifth share in electing a Representative. He did not exaggerate the faults of this system, which was all that was vicious as a system of Representation; and so vicious and so indefensible, that the existence of such glaring absurdities would hardly be believed, if they were stated for the first time on any light authority. This system had existed ever since the Union, and even before. He knew that it would be said that, notwithstanding, Scotland had been prosperous; and that, under the fostering care of this system, she had increased in wealth, population, and intelligence. If it were true, that Scotland was indebted for all her wealth and prosperity—for her uniform advance in civilization—for her internal peace and contentment—for the preservation of good, to this admirable institution, no answer, he thought, could be made to one of two alternatives—either a system of popular Representation was of no use whatever, or the great prosperity of Scotland, which had been referred to by the right hon. Gentleman opposite as a proof of the advantages of the present system of Representation in England, could only be looked on as *reductio ad absurdum*, for in Scotland there was no Representation at all. He admitted the great prosperity of Scotland, her increase in wealth and intelligence, but he denied that this increase and this improvement had been caused by that system which had usurped the name of Representation. Scotland, within the last half century, had made great and splendid advances in every element of wealth and industry; but would any man say, that this proceeded from limiting the numbers of her constituency, and from a system which excluded the whole of her proprietors from a voice in the government of their affairs; and that putting twenty or thirty superiorities over 200,000 electors was so advantageous, that you should preserve that, as being conducive to prosperity, and so entirely the cause of it, that to remove it would place all in imminent peril? He could not part from this portion of the subject without intimating his own disbelief and contradiction of the fact, that the influence of this system had been beneficial, or rather without, on the contrary, declaring it to have been pernicious and detrimental. He said, that Scotland, since the days of her feudal government and warlike glory, never had the benefit of popular Representation; and that, when the changes in the structure of society had made popular rights available, the defects of her elective system had been aggravated by the Union with England, although they had been, no doubt, greatly compensated by the benefits she had in other respects derived from her connexion with this country. He also said, that the want of Representation was felt by the whole body of the people, and by many individuals whose feelings had induced them loudly to complain. The feudal period of the history of Scotland they might pass over. Certainly, in the separate state of that kingdom, and before the union of the two Crowns, we could see but the dawning of that intelligence, and that wealth, which were the groundworks of a free Constitution. From that period to the time of the Union, the condition of Scotland had been a matter of surprise and compassion to the world, and to Scotland herself a scene of humiliation and of shame. Her servile Parliament—her venal Statesmen—her pliant and corrupt tribunals, and her extreme acts of rigour to suppress discontent, which were yielded to without a murmur, spoke volumes to the historical student of the condition of Scotland. She had always for her means, and for the limits of her territory, more than her share of eminent individuals. Scholars and warriors she possessed in abundance; but she had no parliamentary heroes—she had no champions of popular rights—she had no noble leaders of the people's cause, for there did not exist that arena for their display, as the Constitution of the country prevented it. There might have been in the last stages of her separate existence a Fletcher of Saltoun, and a Lord Belhaven; though of these he was not a passionate admirer, as their zeal was national, and not popular. Why, even during the great outbreak and overflow of English liberty which threw down the throne, and deluged the land with a portentous and alarming flood, but which, at the same time, brought along with it the fertilising mould, and left the seeds of that harvest of liberty which we have reaped successfully ever since; even then Scotland took no part on the ground of civil liberty, and he could not see amongst those who took part in the struggle at that time, any other share than that which emanated from a gloomy fanaticism, and a devoted and a sincere attachment to their religion. And it was lamentable and melancholy to see a religious people, whose religious education had been attended to by the Government, while they submitted to other oppressions quite as grievous, fly to arms only when their religion was attacked. The only struggles made by the Covenanters was for their conventicles and their Bibles; and, while they suffered political oppressions unresisted, drew their swords at once for a scattered remnant and a broken covenant. That was a proof that, to secure tranquillity and justice, political instruction and political freedom were wanted. Then last came the Union with England. That was a bargain, but it was an ungenerous one; the stronger party imposing conditions that seemed not equitable on the weaker. It might have been expected, that when the two Legislatures were united, in order to make room for the two together, that a fair diminution would have been made in both: but it was not so, and the whole diminution was made on one side. In order to make a fair and equitable Union, the Legislature of both countries should have been reduced in proportion; but while England retained her whole 513 Members, not one-third of her Representatives were left to Scotland; and her 157 Members were reduced to forty-five. He was not contending against the Union. Scotland had benefitted by having her interests brought under the view of the English Legislature, and by having them watched over by Members who represented the whole kingdom. He begged not to be understood as defending virtual Representation; but Scotland had derived from England, not merely the benefit of greater liberality of ideas, but greater knowledge of political rights, and more respect for political duties. Had the nomination of the forty-five Representatives of Scotland been vested in a Sovereign possessed of uncontrolled power, or reposed in the discretion of the Commander-in-chief of the Army, he was confident, that out of the many able and well-informed men with which Scotland fortunately abounded, the Representatives would have discharged their duties conscientiously, and with a due and fitting regard to the honour and interests of their native country. But—and this was the great and crying grievance of the system—the connexion between these forty-five thus selected, and the persons who would be mis-called their constituents, the sympathy with their feelings, the knowledge of their wants or their wishes, would have been as great as that which now subsists between the people and the forty-five Gentlemen who had the honour of sitting in that House for the counties and boroughs of Scotland. They confer, like a gracious despot, the favour of their countenance to Scotland, and of their protection to her interests; but for the discharge of those duties which a just system of Representation requires, the people have no security, and no pledge—their resentment is not feared—the consequences of neglect are not cared for, and their gratitude neither hoped for nor considered worth the slightest estimation. Looking back to the best part of the period since the Union, he certainly could not deny, that the Representatives of Scotland had been all men remarkable for their respectability of character, their intelligence, and their willingness to promote the interests of their country. But—and the right hon. Baronet (Sir Robert Peel) referred to it as a matter of illustration the other evening—the Representatives of Scotland, during the same period, had almost wholly, from the causes he had already described, been of the court rather than what is called the country party, always found supporting the Minister, and swelling the ranks of his majority. It was not, however, their want of independence, objectionable as that might be, which formed the chief ground of complaint against the Representatives for Scotland: it was their alienation from the people; it was the absence of all opportunity of intercourse—the cutting off of all the tenures by which the elected should be connected with the elector, and through which their opinions on any subject of local interest could be brought to bear on the discretion of these Representatives. For full fifty years after the Union with England, he admitted that Scotland exhibited no symptoms of national feeling on any subject except religion; and the want of an adequate Representation excited no attention amongst its people; but this was the result of a state of ignorance which the advantages of a rapidly increasing trade, and a more extended intercourse with other countries, have now so thoroughly dispelled, that there was scarcely a man to be found in Scotland who was not in some degree imbued with the impression, that they were entitled to have some portion of those privileges which they saw in possession of the people of the other divisions of the empire. But it was not so much on the growing up of this spirit as on the direction it had taken, that he rested an unanswerable argument for that extension of rights contained in the Bill. If he wanted an argument of more than common weight beyond that of justice and principle, it would be found in the growing urgency for Reform, which arose from the perfect knowledge of political rights, with a sense of the power to maintain them, which now pervaded the great mass of the people of Scotland. Beyond all that, there had, however, been growing up for some time a spirit of dissatisfaction, not applying itself to the Government, but, if he might say so, apart from the Government; a spirit producing opinions not in connexion with the Aristocracy of the land—not going along with it, but apart from it—manifesting itself in times of quiet by indifference, and in times of disturbances by open hostility. Notwithstanding all this, the knowledge of which was, he thought possessed by every man in Scotland, and the universal demand for Reform, by which it betrayed its existence and extent, an hon. Member had declared the other evening, that the demand for a better system of Representation in Scotland was anything but general. He (the Lord Advocate) took it upon him to deny that assertion and to state positively, that the demand for Reform pervaded all classes in that country, except those few privileged persons who monopolised its Representation and the benefits which flowed from the monopoly; and he believed most sincerely, that in no part of the Empire were the people more sensible of the extent of their rights, or more determined to obtain them. The petitions from Scotland might enable the House to form some conception of the feelings of the people. Scotland had little better than two millions of inhabitants; England and Ireland had two or three and twenty, and yet the petitions from Scotland in favour of Reform were more numerous than those received from all the rest of the Empire put together. The feeling in favour of Reform was, indeed, and he spoke from his own knowledge, greater, deeper, severer, more settled, fixed and resolute, and indestructible among the great body of the intelligent and independent of the middle classes, than it was possible, without an opportunity of studying their character, or viewing the traces of its existence and the circumstances attending them, for the House to conceive. And the reason of this was obvious. They saw the current of opinion flowing through all classes—they knew the power which they possessed to give it effect—and they were deeply sensible therefore of the necessity of Reform, because they saw the dangers of a serious concussion, in the event of the failure of their expectations, to be more alarming and more pregnant with mischief than those which might take place even in Birmingham or Manchester. He testified to this as one speaking not without knowledge. He testified to it, he admitted, not without pain, but he testified to it as a matter of fact in connexion with a number of others, of which the testimony was complete, that ought to have considerable weight over the decisions of the House. He would proceed, after having endeavoured to show the nature of the mischievous system which had prevailed, to explain the substance of that better system which he hoped to substitute in its room; and to whatever criticism that system might be liable, or to whatever suggestions it might be open, he would at once set out by stating that any change must be for the better, but that the total abolition of all these abuses was the most desirable, and he was sure would prove the most satisfactory. He would then at once declare that the object of the Bill was not to take away any part of the system, but to take down the whole of it, to take it down altogether, for the whole principle of it was bad. He gloried in making the avowal that no shred or rag, no jot or tittle of it was to be left. Who would venture to get up and gravely say, that the holder of a bit of parchment—that 113 persons, of whom perhaps not two-thirds possessed any property, were to usurp the rights of 100,000 of their fellow citizens?—that Magistrates re-electing each other should be allowed to stand between the Legislature and the wealth, the intelligence, and the industry of the community? The Bill before the House said, that twenty-one, or thirty-three, or any other number of Magistrates or of electors who have usurped exclusive privileges, should no longer arrogate to themselves the power of disposing of the constitutional rights of their fellow citizens, and, without the shadow of a pretence, nominating whom they pleased to represent them in the Council of the Empire, He would not then detain the House by going into any detailed explanation of the qualification proposed in the Bill. It had been already printed and made public. He should merely say, that some modifications would, probably, be necessary in the Committee, so far as related to corresponding alterations in the English Reform Bill, and for the purpose of rendering its provisions more analogous to some of those introduced in the course of the late discussions. The qualification was to be, the payment of 10*l.* rent by a householder. Proprietors of heritages of 10*l.* a-year were already proposed, and leaseholders for a term of sixty years, to vote for counties. Glasgow was to have two Members; and, according to a late estimate, it would be found that, under the new arrangement, there would be a constituency of 8,000 persons. The City of Edinburgh was also to have two Members; Aberdeen, Dundee, Paisley, Greenock, and Leith, with Musselburgh and Portobello, each of them having more than 40,000 inhabitants, were to have one Member each. These, with some little alterations in the classification of the boroughs formed all the points which it was necessary to notice at that stage of the Bill. Before he concluded, he could not, however, abstain from saying one or two words with respect to an argument urged frequently against the English Reform Bill, and which would, doubtless, be revived in the course of the coming debates. That argument was founded on the question of why they introduced a measure abounding with anomalies, for the purpose of merely superseding anomalies of another description which could not be suffered longer to exist. Now he conceived that hon. Gentlemen laboured under a mistake in the view they took of this principle, and that they seemed to forget the application was purely with reference to extreme cases. To take, for instance, the course pursued in the English Reform Bill. They disfranchised Gatton and Old Sarum and Midhurst, but they left in one schedule, places which could muster 2,000 inhabitants, and in another, places which could number 4,000, giving them one or two Members respectively. If they had been called on for the first time to frame a new system, he did not mean to contend that they would not and should not act differently, but in the situation in which they were placed it was necessary to draw a line, and they thought it better to cut off the extreme cases and those which verged on a palpable absurdity as connected with any system of Representation. To take an illustration of another kind: in recruiting for the army, men might probably be found of full height and strength at seventeen, and of good health and sound constitution at sixty-one; but still it was necessary to take a rule, and, as in the case of the boroughs, to cast off the extreme cases. He had only to observe, that they made an addition to the total number of Members; a small one, he admitted, but it was an addition which could do no injury to the existing constituency; and by the means of that and the other alterations, they hoped to make an addition of fifty real Representatives on behalf of Scotland in the British Legislature. In order to avoid setting the example of going into the details at a stage of the Bill when they were called on to consider the principle, he should abstain from saying more at present on that subject, and he entreated the House not to impede the progress of the measure by any objections which did not apply to the question of whether the Bill should be read then, or on that day six months. He moved that the Bill be then read a second time.

Mr. *Charles Douglas* said, that in offering his observations on the Bill now under discussion, he was as anxious as the noble and learned Lord to avoid entering into any details, objecting, as he did, to the principles of the measure, so strongly as to wish he could induce the noble Lord to postpone its second reading altogether. He was ready to admit, that the interest which the noble and learned Lord had justly described to exist in Scotland on the subject of Reform, certainly existed in a very powerful degree; but it was caused by efforts of so extraordinary a nature as to be calculated to mislead rather than guide the judgments of those who expressed so vehement a desire for Reform. He was strongly of opinion, that the correction of the present Representation of Scotland ought to be and might be, effected in a manner that would not, as this measure would, entirely disrupt and break up all the domestic ties and habits of the people in every county in Scotland. He was ready to admit, that great changes had taken place in the last fifty years in Scotland; they had changed from a state of poverty to one of comparative wealth—from barrenness to cultivation—from ignorance to knowledge—and lastly, though not least in importance, they had changed from a state of rebellion to one of strong and enthusiastic loyalty. But he could not allow of the noble Lord's other statements as to the changes in the people of Scotland—for their reasons in demanding Reform were attributable to far other causes than those which he had so eloquently described. The learned Lord gave a much worse picture of the constituency of Scotland than the occasion required. He admitted that the parchment votes were an abuse and a grievance, and if the learned Lord had proposed, and it were found possible, to get rid of the system of separating the superiorities from the property, he was willing to give him his support. He thought that the plan of the learned Lord was a direct attack on the agriculturists, and that it would give the whole power of the Representation into the hands of the manufacturers. The separation of the counties was, in his opinion, peculiarly objectionable. Dumbartonshire, for instance, which was to be united with the county of Bute, and to have only one Member, had a population greater than two English counties, or than fifty of the English boroughs which were allowed to retain their right of returning one and two Members each. He was convinced, indeed, that Scotland could claim at least sixty Members, on grounds as good as those which gave Members to the new boroughs in the manufacturing districts. If property in houses were to give a vote, it must be placed, he conceived, on a very different footing and different valuation. The payment of 20*l.* for a house was but equal to 10*l.* for land, for it should be recollected that, in addition to all sorts of duties, the land of the heritor was subject to the payment of all the poor-rates. He admitted that the system of self-election among the magistracy of Scotland was bad, but still, the measure for remedying it went much too far; and he considered the danger likely to result as worthy of the most serious consideration, from the influence which the Representation of the great towns must exercise over the whole body of the constituency. He approved of the plan of giving Representatives to those great towns, and if the present Bill went no further than that, he was quite willing to support it. Conceiving, however, that it went much too far, he would move that it be read a second time that day six months.

Mr. *Ramsey* declared, that the Bill was, in his opinion, too sweeping, and decidedly revolutionary. Great stress had been laid on the general demand for Reform put forth in the petitions from Scotland, and at the late elections, but he contended, that both the one and the other were the work of individuals, and that the elections had not been carried on in that straightforward manner which would enable them to judge of the real sentiments of the people. He was far from being one of those who were opposed to all Reform in the Representation of Scotland. An extension of the elective franchise was, to a certain degree, and with reference to large towns, in his opinion, desirable; but he trusted the House would pause before they went to the extent to which the Bill under consideration would carry them. For himself, he spoke without any reference to party considerations. He was wholly independent of party, and was quite ready to support whatever Ministers appeared to him best to support the interests of his country.

Mr. *Gillon* observed, that in claiming for a short time the attention of the House, he would not enter upon the general question of Reform, after the very long and fatiguing discussion it had undergone in this Parliament and the last, but would confine himself as closely as possible to that branch of it which affected Scotland. Allusions had been made to the riots which had taken place in Scotland during the elections. And what were they after all? A few stones thrown—a very common occurrence at elections. A few noisy demonstrations of feeling in other parts of the country. He would ask, had nothing been done to provoke those riots by the injudicious conduct of the authorities, and the improper introduction of military force insultingly paraded before the people? Instead of wondering at this trifling effervescence, his only astonishment was, as is stated by one of the most talented newspapers of the day, that a state of things so revolting to common sense had not produced, on an occasion like this, an ebullition of popular fury in every part of the country. The people of Scotland had been always deemed a highly educated, intelligent people, and were any proof wanting of this, it was, that the close corporations of Scotland had, on the present occasion, by a large majority, returned men of liberal principles, and alive to the signs of the times, whereas the close boroughs of

England had returned men wedded and pledged to every ancient abuse, to every vile corrupt system which had impoverished and disgraced the country; the light of reason had penetrated the murky cloud of northern darkness, and the necessity for Reform had reached even that *beau ideal* of a boroughmonger's imagination — the constituency of Scotland. The House had been told in the last Parliament, that the people of Scotland were indifferent to Reform, and this declaration had proceeded from the Member for the capital; but that hon. Member had only proved how little he was acquainted with the wishes of the city he was said to represent. It might be very true, that the Town Council of Edinburgh were indifferent, nay, averse to Reform, and the late election had proved that a great majority of them were still so. This was not to be wondered at, considering the many snug jobs they had been enabled to share in. He did not mean to impute any thing improper to the present Magistrates of Edinburgh, with some of whom he was well acquainted, and whom he highly respected. He was sure if they were to job, it would be for their city not for themselves. This was a more excusable species of jobbing, but this had not been the case in the royal burghs of Scotland. He ventured to say, that the history of the royal burghs of Scotland presented a scene of corruption, petty tyranny, fraud, and demoralization, both in their elections and their municipal government, unexampled in any other part of the kingdom, and barely credible to those not acquainted with the facts and the pitiable results. He begged to ask hon. Members acquainted with the subject, if almost all the burghs of Scotland, with funds originally more than sufficient for carrying on their affairs, were not now deeply in debt—if their funds had not been wasted in the most absurd and useless litigations, and in grants to the Magistrates themselves and their creatures? Nor could any one be surprised that it was so, when they saw a body of men meeting at the end of each year to carry on the farce of self-election; and that even the small infusion of popular opinion in the Town Councils, from the Representatives of the Trades, was controlled by a power in the self-elected to strike out one, two, or more from the list presented to them. When it was considered that these men were irresponsible for their conduct, and held their places in defiance of every dictate of reason and common sense, what could be expected? He spoke warmly on this subject, because he had too lamentable a picture of this fact before his eyes, in what had occurred in a burgh he had now the honour to represent, not to feel warmly on the subject. He wished for a general measure of Reform, because in a Reformed Parliament we must immediately follow up that first step by burgh Reform, which the people of Scotland might in vain have called for to a Parliament as rotten as those who sent them? He begged to thank the noble Lord who had introduced this measure, and the learned Lord Advocate for Scotland on behalf of the burghs of Scotland, and to tell him, that this was one of the tangible and practical benefits that must ensue from the carrying it. He did not mean to press this subject at present, but he pledged himself in a future Session, or, should he have the honour of a seat in a future Parliament, to bring forward or support a wholesome system of burgh Reform. He asked again, could there be a stronger proof, were any wanting, of the necessity of Reform in the Scotch system of Representation, than the facts of the late Edinburgh election, when seventeen self-elected individuals—at least the great majority of them were so—succeeded in forcing a Representative on the inhabitants of that metropolis against the wishes of ninety-nine out of a hundred of them? Having said thus much, he begged to offer his humble testimony to the upright and independent conduct and public spirit generally of the Town Councils of Scotland at the late election; men who, from their station in life, might have been supposed to be the most biassed to the old system, by which they had been in the habit of receiving direct personal advantage. With a generosity worthy of the country which gave them birth, they declared themselves ready to sacrifice all personal or corporate considerations on the altar of their country, in voting for a measure now so imperatively called for. Had the freeholders of Scotland, men in a high sphere of life, and supposed to be better educated than the Town Councils, evinced an equal liberality, the returns from that country would have been more creditable than they were. But seeing, as who could not see, the blindness and tenacity of Princes and Potentates, could they wonder that Scotch lairds, generally necessitous, and hungry after places and pensions, should stick closely to the system by which they had hitherto so largely and exclusively profited? He would now only observe, that if the Scotch burgh system was bad, that of the county Representation rivalled it in absurdity—a franchise not depending on property, for it was more frequently disjoined from than united to it; confined to a most limited and inadequate constituency, and participating in all the barbarisms of feudal institutions. What had been the result of all this? Why that the Scotch Members had been generally a nonentity in that House. He could not suppose this had arisen because men of greater talent could not be found, but because men of talent hated and detested the system of jobbing it was necessary to pursue. And here he could not resist relating an anecdote of a Scotch county Member, which afforded a pretty good specimen of the lot with some honorable exceptions. Of this gentleman it was said —and he begged to add that he was a staunch supporter of Mr. Pitt and his policy—that his invariable rule was, never to be present at a debate or absent at a division—and that he had only once, in his long political life, ventured to vote according to his conscience, and that he found on that occasion he had voted wrong. Call you this a Representative, or a Delegate, or what? He would undertake to make as good a one any day out of a bundle of straw. He trusted he might be permitted to allude to what had fallen on a previous evening from the hon. member for Nairne, when he rather prematurely introduced the subject of the Scotch Bill. The hon. Member had told the House that the farmers of Scotland were averse to the measure of his Majesty's Government. He did not know how the hon. Member had got that information. The farmers of East Lothian, the greatest agricultural district of Scotland, had petitioned for it—the farmers in his part of the country had shown no aversion to it; and he had since met a friend of his, a very large northern proprietor, who said he had not met a man of any description in the north who was not favourable to it. And as the leasehold votes were to be given, and most properly so, in England, surely, for the sake of that uniformity, which Gentlemen on the other side contended for, it would not be denied to the yeomanry of Scotland—a body of men so intelligent, and, he would add, so loyal, that he did not hesitate to say they were as fit to judge of what was good for their interests as any Member of the House. It was really difficult to know how to meet the arguments of Gentlemen on the other side—they blamed this Bill in the gross, because it established too great an uniformity of voting; and they then pulled it to pieces in detail, because it was not uniform enough. They said, why was there not a 40*s*. franchise in the counties of Scotland as it prevailed in England? He himself had no objection to a 40*s*. franchise—the Representation could not be made too popular; but would this please the hon. Gentleman who pointed out the inconsistency? He would say, that the rottenest borough now about to be disfranchised in England was not more in need of amendment than the Scotch counties; the traffic in votes went on, not for money, perhaps, but for place and emolument. He supposed he should be told how much Scotland had flourished since the Union, and that, therefore, its system must be excellent; but he contended that Scotland had flourished, not in consequence of, but in spite of, her system of representation; and something was to be ascribed to the infusion of some portion of popular ingredients from the Union with England, where, with all the rotten boroughs, there were not half so many defects—so many glaring absurdities—such a decided want of all that constituted representation—as prevailed in Scotland. He repeated what he had said on a previous occasion, that, however he might wish that Ministers might find it consistent with their arrangements to give additional Members to Scotland, he must ever regard this, and he was sure his countrymen did so too, as a great and magnificent boon, as giving them not five but fifty Members at once; for he defied any man to prove that Scotland had, hitherto, been represented at all, or that her energies had not been cramped and deadened, instead of being fostered and cherished by her system of representation. On the minor details of the Bill he did not mean to enlarge now, but he would take the liberty of expressing freely his opinion in the Committee, though hon. Gentlemen called him a delegate. The principle of the Bill should have his warmest support, more especially as putting an end to the system of voting in counties, and certainly without compensation, which he hoped he should never hear urged again, after the very able and eloquent refutation of that doctrine by the hon. member for Calne. When last in Scotland, he had mingled much and often with the people of all classes—he had attended meetings consisting of many thousands of his countrymen, and he had found them all actuated but by one spirit—the most devoted loyalty to their King—the hearty approbation of the measure of Reform submitted by his Majesty's Government—and the most thorough dislike to the boroughmongering faction, who would rivet more firmly the chains that already gall us to the quick. They hail this as the commencement of a new era of economy in the administration of affairs, and as giving them some voice in the election of those who impose their burthens, the main end of all representation. He rejoiced to think, that it had been admitted on the other side of the House, that the Government of the country had been somewhat expensive. This was, no doubt, a very soft and decorous mode of expressing what he would characterize as profligate extravagance, and contempt both for the wishes and interests of the country. And here was another of the practical goods arising from Reform. Had our burthens not gone on increasing? And what security had we in the integrity of a Parliament, the nominees of individuals, that our funds should not again be equally and scandalously wasted in carrying on long and unjust wars against the liberties of mankind, or in pampering those minions of Government, who, while suffered to riot in luxury and ease, cared not for the groans or sufferings of their countrymen. When the Members of that House—Representatives he would not call them—were not amenable for their conduct to their constituents, there was but little encouragement to hope that frugality would be the order of the day. He hailed this measure of Reform, especially as introducing into his native country a better system of representation, founded not on ideal possession of paper votes separated from real property, not on the disgusting system of close and self-elected corporations, but on the property and intelligence of the country; he trusted, that with this extended constituency, well-informed, and full of loyalty and patriotism as he knew his countrymen to be, that hereafter Members for Scotland would be something better than non-entities, which they had too generally been in the House; and that in appealing to their constituents, they would to secure their votes, use some argument more worthy of themselves and their country, than this hitherto too general one—"that they were ready to inflict on their country any burthen, however galling, or make their votes subservient to the carrying of any job of the Minister of the day." This might seem strong language, but he assured the House it was the language and feeling of the great majority of his countrymen, who had been maligned by being called indifferent to Reform. If they had at any time appeared less zealous in the cause of Reform, it was because hope had given place to sullen despair; they loved their King, and respected the institutions and laws of their country and, detested revolution; but after the flagrant case of East Retford, what hope had they at that time, that, by constitutional means, they were to arrive at a correction of the manifold abuses of the representative part of the Constitution? Hon. Members on both sides of the House had spoken of their belief, from local knowledge, in a reaction having taken place on this important subject. He was bound to express his deep conviction, that in Scotland no such reaction had taken place. As in that country Reform was most required, in consequence of the existence of abuses, so there the feeling in its favour was the strongest—the most deeply rooted: he could not quote a stronger instance of that deep-rooted feeling than in the transactions that took place at the election for the county of Stirling. When the result of the votes of the freeholders of that county was announced to the assembled multitude who had left the town, that they might not be accused of endeavouring to dictate or overawe, what then took place? Instead of breaking into noisy and riotous expressions of disapprobation, they reversed the flags which they had carried in honour of their generous and beloved Monarch, and in mute and mournful procession left the field. This silence spoke more loudly than ten thousand tongues. Were these men to be easily turned aside from the settled purpose of their minds by a change of Administration, or protracted delay to the accomplishment of their hopes? The memory of their noble ancestors—the sense of their own wrongs, was too strong to be easily obliterated.

You might as well go stand upon the beach and bid the tide to bate its usual height, as by protracted debates on the minor details of the Bill, or even by holding up to their view as ranged against them the august body of the Aristocracy, for whom they naturally entertained the most sincere respect, expect to shake the firm resolve of an enlightened and united people.

Sir *George Warrender* complimented his hon. friend who had spoken last but one on the talent which he had exhibited, but he could not agree with him as to the general state of feeling in Scotland with respect to Reform. For himself, he certainly felt obliged to unsay much of what he had said upon the subject in March last. Whatever shafts of ridicule might be directed against him for this declaration, he trusted that the House would do him the justice to believe, that the change proceeded from honourable and honest motives. On a former occasion he had expressed his opinion, that the people of Scotland, and particularly the inhabitants of the metropolis, if not hostile to any Parliamentary Reform, were at least indifferent to it. After the firebrand of the English Bill had been thrown amongst them, however, there was a change; and he believed that there now did exist in Scotland an earnest desire for the adoption of the measure of Reform. Such being the case, he was ready to abandon those rights which he felt he must abandon. But why was he ready to abandon them? To secure the tranquillity and interests of his country. He confessed this might appear strange in him who had formerly used such strong language, and even characterized the measure as one of spoliation. The state of Scotland now, and of its present feeling, would be his best apology for the change of sentiment he confessed he had undergone. He had, however, been always so far a Reformer as to feel the expediency of admitting all great, rising, and aspiring interests into the Representation, from which an older and more restricted policy had excluded them. As for the English Reform Bill, he had felt it to be his duty to oppose it in all its stages; although in so doing he had run counter to all considerations of private friendship and attachment—a proof, he hoped, that he was not actuated by any undue motives. He certainly thought, that an increase of the Members for Scotland would be beneficial to that country; and he should vote for the second reading of the Scottish Bill, because he did not apprehend any danger to Scotland from the measure; whereas he had voted against the second reading of the English Bill, because he did apprehend, at that time, and he still apprehended danger to England from the measure. As to the details of the Bill, he should state his objections to several of them when the Bill went into a Committee; and especially to the proposed marriage of certain districts and counties, the banns of which had been forbidden by all hands in Scotland. There were various enactments, however, of which he approved; in particular that by which the eldest sons of Peers of Scotland, who were now precluded, were admitted into the House. To other parts of the Bill he could not consent; yet it was capable of being so remodelled and improved in the Committee, as to recommend itself to those who might object to it in its present state. He, therefore, should give his assent to the second reading of the Bill, reserving his objections till it was in Committee. He had heard nothing from the learned Lord which made him suppose that the accession of members to the Representation of Scotland was to be limited to five. If his Majesty's Government would consent to add a further accession of five more Members, he was sure nothing would tend so much to increase the popularity of the measure in Scotland.

Mr. *Keith Douglas* thought it would be inexpedient to vote against the second reading of the Bill; because that would be to imply that they were against all Reform. Unless they gave the people of Scotland the opportunity of seeing, from the discussions in the Committee, what it was proposed to do, he did not think that they would be satisfied. In one remark of the learned Lord he could not concur, namely, that there had been a great separation of feeling between the higher and lower classes in Scotland. He believed there was no such separation. On the contrary, it was a sort of complaint that there was a peculiar mutual kindness subsisting between his countrymen. This, therefore, was not one of those reasons on which the change of Representation could be founded. The circumstances of Scotland, its vast improvement during the last fifty or sixty years, in comparison with England, and with other of our distant possessions, showed that the state of its Representation was no bar to the intellect of the country; yet a growing feeling had extended itself before this Bill was submitted to the country, that additional Representation should be given to the great towns. As compared with what had been done for England by the Bill that had just been passed, he did not think that this Bill was any boon to Scotland, as the Lord Advocate had supposed it to be. The learned Lord had said, that Scotland had had the worst of the Union; if so, it was the duty of the learned Lord, in laying down the rules that were to be their guidance in future, to improve the relative condition of Scotland as compared with England. He had not done so in this Bill, and he would be giving no benefit to Scotland unless a very considerable number more of members was given to that country than what she now possessed. With the exception of Members given to a few large towns in Scotland, there was no increase whatever. Under these circumstances, he thought that justice had not been done to Scotland; and he declared, that if this Bill was to pass, it must undergo a very serious alteration in that respect. For himself, he certainly would not consent to pass the Bill, until several alterations had been made in it, so as to give Scotland her fair share in the Representation of the United Kingdom.

Mr. *Robert Ferguson*, said, that the hon. Member who had just sat down, was mistaken as to the wishes of Scotland upon this Reform Bill. What they wanted was—not a mere increase of the number of their Representatives—but such a change of system as would secure them an independent constituency. They desired to have the advantages that would be afforded by the means of making an independent return of their Members, an advantage which as yet they had never had. When the learned Lord said, that Scotland had the worst of the Union, he meant—not that Scotland had not Members enough given her, but that the means of obtaining an independent constituency were not secured. That disadvantage was now to be compensated, and an independent constituency created. He had always hoped to see the time when Scotland would be able to return Members independently; and he believed that the moment had now arrived. In that respect the Union had done no good to Scotland, but it had drawn a thorn from the side of England. All the advantage had, therefore, been with England, but now he hoped that the system of ruling Scotland by patronage would be at an end, and that Scotland would enjoy the benefits of which it had hitherto been deprived. The system under which Scotland had been governed had degraded its political character. They had often heard from the mouths of English gentlemen the expression of Scotch jobs, and he believed that it was well warranted. A system of corruption the most gross had hitherto prevailed there, and had, he repeated, degraded the political character of the people. That blot had, however, been now wiped away by the honest and honourable enthusiasm which the people there had lately manifested in favour of Reform. His standing there was a proof of that enthusiasm and of its purity. He had been returned by the Corporation of the town he represented, because they were wise and honest enough to see that the property in elections which they had hitherto possessed was inconsistent with the true independence and happiness of their country. He denied that there was in Scotland any dislike towards the higher orders; and he asserted most positively, that the Scotch entertained, as they had always done, a strong feeling of attachment towards their superiors. The spirit now raised in Scotland was not that of a turbulent insurbodination, but of a desire to obtain those political rights of which the mass of the people, notwithstanding their intelligence and industry, had hitherto been deprived. The higher orders would always be able to keep up their proper influence in the country, but they must keep it up by kindness and good conduct; the repellent system, on the contrary, was fraught with vexation and mischief to those who had recourse to it. Their English and Irish brethren had long held out the hand of friendship to Scotland, on the score of her hospitality; he trusted they would now be able to do so on the score of her political independence and her constitutional liberty.

Colonel *Lindsay* complimented the hon. Gentleman who had just sat down, on the speech he had just delivered; but could not agree with him in the opinions he had expressed. He knew the course that his constituents would pursue towards him, for the opposition he should give this Bill; he knew that they would elect another in his stead; but that would not deter him from doing his duty. He had ever been the advocate of reform where abuses had been pointed out, and where the remedy was shewn; but that was not the reason why he should support this Bill, which he thought was fraught with mischief. Upon that principle he had supported the government of the Duke of Wellington, who was not opposed to Reform, but was only opposed to speculative notions of Reform. The last Ministers had done many things deserving the thanks of the people, especially in the reduction of taxes; but in contrast with them, the present Ministers had done nothing. If the poor of that country were to be supplied with what they wanted, and the condition of the lower orders was to be bettered by this Bill, he should support it; but as it was not proved to him that the Bill would have any such effect, he should oppose it. He asked the stranger who had visited Scotland, whether the rich man there did not live upon his property? and whether he did not bestow a portion of the blessings he had received for himself upon others? whether it was not true that the people there were among the best agriculturists of the day? that they taught the principles of it to others? that the lower orders were happy, contented and grateful? that the law in that country was fairly and justly administered? that the people were moral—that their religion, though primitive in its forms, was respectable? who, then, could deny that that country was happy? that it was most flourishing? that all the blessings of Heaven were showered upon it? that these blessings were the consequences of that Constitution under which they had long and happily lived? He objected to this Bill, that by its provisions respecting the 10*l.* householders, it would throw all the power into the hands of the manufacturers. The farmers were, in many places, few and scattered, and they would be overpowered by the influence thus given to the 10*l.* householders. He objected to it, besides, that it put an unconstitutional power into the hands of Sheriffs of counties, with respect to the registration of voters. He maintained also, that this Bill did not give a fair proportion of Members to Scotland, considering the wealth and population of that country. The proportion had been long settled, and being altered, as it was now proposed to be, the Articles of Union were violated; while, at the same time, justice was not done to Scotland. He maintained that the main principles of this Reform measure were cruel and unjust to Scotland, depriving her, as it did, of any thing like a proportionate share in the Representation of the empire, according to her population, which the noble Lord had put forward as one of the leading principles on which they were to legislate. When such boroughs as Malton, with 4,005, and Monmouth, with 4,100 inhabitants, were to send two Members to Parliament, was it just to Scotland, that some of her populous and wealthy counties were to send half a Member each? He did not deny that the people of Scotland were now desirous of having Reform in those places where the franchise was to be extended to 10*l.* householders, and where new Members were to be given. They were desirous now of getting it, because it had been promised them, and it was the character of his countrymen, never to give up their claim to any thing respecting which they had obtained a promise. But he denied that they had sought or wished for Reform, until it was offered them by his Majesty's Government, and recommended to them as a benefit, which he believed it would never prove. The hon. Member then read a list of the petitions presented from Scotland, for Reform, in each of the years, from 1820, downwards. In several of those years there were none, and in others, only one or two. In the year 1828, and 1829, there were none; and in the beginning of 1831, after the excitement created by the acts of the Government, there were 129. What did this prove but that the people, until excited by the Government, were contented with the system under which they lived, and desired no change? He should have been ready to support a moderate and temperate measure, if such a one had been proposed, under the circumstances, but to go from one system to the extreme of another at once was an experiment to which he would not consent. A moderate quantity of wine might be a good thing, but to get intoxicated was the reverse. In fact, there was no good quality under the sun that did not become a fault if carried to excess. Generosity carried too far became extravagance—economy became parsimony—courage, rashness—

caution, timidity—religion, fanaticism—and even liberty became licentiousness; and this was the point to which this Bill would lead. He opposed this measure on that account, and because he thought that this change was only the precursor to other and greater changes. Last night the Constitution of England had been ejected from the doors of that House by a majority of the Commons of England—a Constitution in the plenitude of its vigour, in the height of its excellence, now purer and more free from corruption than ever it had been; it had been cast forth, to adopt the base, wretched, new-born, deformed, offspring of his Majesty's Ministers; he had almost said, the offspring of a body of reckless men. He must expect that the same fate would attend the Constitution of Scotland. To conclude, he should borrow the words of another, which more elegantly expressed his feelings than his own words might do. He would quote the sentiments of Mr. Canning on a like occasion. In the concluding part of his speech on the question of Reform, in the year 1822, he said, "Although I presume not to think that the noble Lord (Lord John Russell) will give any weight to observations or warnings of mine, yet on this, probably the last, opportunity which I shall have of raising my voice on the question of Parliamentary Reform, while I conjure the House to pause before it consents to adopt the proposition of the noble Lord, I cannot help conjuring the noble Lord himself to pause before he again presses it on the country. If, however, he shall persevere, and if his perseverance shall be successful, and if the result of that success shall be such as I cannot help apprehending, his be the triumph to have precipitated those results; be mine the consolation that, to the utmost and latest of my power, I opposed them."*

Mr. *Charles Grant* was happy to find that the Bill had been discussed with so much temper and moderation. He viewed the measure as one of vast importance to Scotland, where the impression for a long time had been felt, that some change must take place in the state of the Representation there. The people of that country, in fact, regarded Reform to be so indispensable, and believed the government of the country to have been so long convinced of that necessity, that they could attribute the delay to nothing but the apprehension that the call for a Scotch, would necessarily invite to a discussion or the merits of an English Reform. Scotland was at present actually without a Representation, for those who were called the Representatives of the people there, were in no way responsible to the people, nor elected by them. He claimed for Scotland, therefore, the right of Representation—the right which had been denied to that country upon the pretence that the people were not free enough to be released from the trammels of exclusion and monopoly, which were added to the other bonds by which they were distinguished from the rest of the empire. The effects of exclusion and monopoly were known to be injurious to commercial traffic in which individuals were concerned, and why should they not operate in a baneful manner when applied politically and against a whole nation? Some hon. Members had spoken of the Scotch Bill as if they feared that it would break down the English Constitution. He did not see how the Scotch Bill could have any effect, except that of giving additional vigour to the English Constitution, by more closely rivetting the connection between the two countries. It was quite impossible that a reciprocity of advantages could arise, when in one country there was not the shadow of a Representation. The Bill would, however, remedy the inequality which established a line of demarcation so unfavourable to Scotland. It was with pride he stated, that in no country did the several classes of the people blend together in a more harmonious manner than in Scotland. It was, indeed, delightful to see feelings which sprung from very different sources mix together, and prove mutually beneficial. Being connected with Scotland, he felt proud in acknowledging the virtues of the Scotch people, and must call upon the House to say whether it was possible to deny any longer, to a population remarkable for learning, industry, and great commercial spirit and exertion, the rights of the Constitution. He was convinced, for his part, that the Government durst not any longer withhold from the Scotch the rights which they claimed so reasonably, and, at the same time, so warmly. The boon would, without doubt, more closely knit together the different classes of the community, whereas the refusal of it would constitute between the two countries a barrier which ought never to exist. Above all, he would impress upon the House the necessity of giving the boon cordially, generously, and graciously.

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* See Hansard's Debates (New Series), vol. vii. p. 136.

Sir *George Clerk* was glad that the House had had the benefit of hearing again the eloquence of the right hon. Gentleman, after so long an interval of silence on his part. He had been curious to hear the right hon. Gentleman explain the grounds upon which he supported that Reform against which he had so often the happiness of dividing with the right hon. Gentleman. But in the midst of all the right hon. Gentleman's declamation, and the talent with which he never failed to address the House, he had given no reason whatever for the measure, excepting that which all the supporters of the English Bill had given for it, namely, that the people willed it. He denied that any other reason could be given, and appealed to the condition of the people of Scotland as a proof that no extensive change was required in that country. When they were told so much of the evils of the representative system in Great Britain, as resulting from the theoretic defects of our Constitution, it might be fair and reasonable to look at that part of the empire where such defects were worst, and to ask whether they had produced the worst results in the condition of the people. But what was the fact? If they looked to the moral and social condition of the people of Scotland, it would be found, that in their intelligence, their habits of industry, and in the general diffusion of comfort amongst them, they were the most favoured portion of the empire. Was it, then, upon speculative grounds alone that they were to abandon a system, under which the state of the people, the great and crowning object of all good government, had been brought about? They were, indeed, at first told that this measure would not change the Constitution; that it was only intended to restore it. In the late debates, that position had been very much avoided, if not abandoned; but it was left for the learned Lord Advocate of Scotland to throw off the mask, and boldly declare, that it was the intention of his Majesty's Ministers not to leave one single vestige of the system under which the country had most umdeniably attained to unexampled greatness and prosperity. He regretted that the learned Lord should have so vehemently attacked the system by which he had found his way into Parliament. But whatever might be the evils of the existing state of the Representation of Scotland, they were not very likely to be remedied by the measure of his Majesty's Ministers, who did not appear to have any other motive for bringing it forward, than that the people required it—a motive which seemed to be quite sufficient, without any reference to political exigency. Scotland, notwithstanding all that had been said, had her landed interest adequately and ably represented; but this Bill would utterly ruin the interests of the small landed proprietors, and throw them into a state of comparative vassalage. It would, no doubt, be desirable to prevent a strong line of demarcation from being drawn between the countries; still it was impossible, from the different nature of the property in both, to establish a precisely similar state of Representation in each; and the violent method proposed by Ministers was calculated not only to shut out persons having the necessary acquirements for the Representation, but to place the small resident proprietors of land as completely under the dominion of individuals as ever was the constituency of the boroughs in schedule A. Such a result would tend to diminish the interest which these proprietors felt in doing good to the community. He hoped the hon. and learned member for Kerry had considered the fact, that Scotland was subject to numerous evils whilst she enjoyed a local legislature under the dominion of the English Government, but that a new era of prosperity and happiness dawned upon her as soon as the legislatures of the two countries were united. There existed in Scotland, as there still existed in Ireland, a feeling of jealousy and hostility towards those who had been mainly instrumental in bringing about the Union; but this feeling soon died away, and when the Pretender landed in Scotland, he found so little appearance of a desire to repeal the Union on the part of the people of that country, that he erased from his proclamation a clause which referred to that measure. The prosperity of Scotland, from the Union up to the present moment, had progressively inceased, though it had made more rapid strides of late years, particularly since the conclusion of the American

War. He was most anxious to adhere strictly to the recommendation of the Lord Advocate, to reserve all considerations on the details of the Bill until it got into Committee. At the same time, he knew it was extremely difficult to urge any thing in favour of the Scotch system of Representation on the minds of those who had always, until very lately considered the English Constitution as alone worthy of imitation. The English system of Representation, too, though so long admired, had been so much remodelled and altered by the Bill which had lately passed that House, that he could not expect that any arguments of his could induce the House to deal with the Representation of Scotland with a more unsparing hand. Although all corporate rights, however, were to be put an end to in England; and although he should admit the practicability and expediency of giving the right of voting to 10*l.* householders in all the boroughs in Scotland; yet he must contend, that the plan for the county Representation would not be beneficial to that country. Although it was pretended that it would give additional weight to the agricultural interest—and he admitted that there could not be a more intelligent, independent, and respectable class of persons, than those to whom it was proposed to give the right of voting for counties in Scotland—yet he doubted whether the tenantry or the landlords would be benefitted by the proposed extension of the franchise. He feared they would find, as was well observed by the hon. Baronet, the member for Hertfordshire (Sir John Sebright), with regard to the English county Representation, that there might be conflicts between landlord and tenant as to the manner in which the franchise should be exercised, little productive of that harmony and good will which, he was bound to say, had hitherto subsisted between landlord and tenant in Scotland. He was glad to find, that the right hon. the President of the Board of Control (Mr. Charles Grant) had borne out his hon. friend behind him, who had denied the accuracy of the statement of the Lord Advocate that the minds of the lower orders in Scotland were alienated from their superiors. He (Sir George Clerk) had heard this assertion of the Lord Advocate with astonishment, for he believed no such feeling existed. The hon. Baronet (Sir George Warrender) had referred to the feeling in Scotland in favour of Reform. He admitted that the feeling prevailed to a great extent during the late general election, and it would have surprised him if that feeling had not existed, considering the great pains taken to excite it. He believed, however, that the feeling would subside as rapidly as it had grown up, and that the people of Scotland would soon return to that state of political feeling in which they had been for so many years past. He was of opinion, that as so great an alteration was proposed in the general system of Representation, a larger number of Representatives ought to be given to Scotland. His Majesty's Government it appeared, were induced to resist this proposition, for fear of creating jealousy in England; but if so reasonable a proposition was acceded to, it would be most gratefully received. If there was the slightest chance of any amelioration or alteration in the Bill, he might be induced to concur with those who said they were unwilling to vote against the second reading, because they thought the present system of Representation in Scotland did require some amendment. His Majesty's Government, however, gave no encouragement that they would assent to any amendments in the Bill; and the majorities on the English Bill proved how hopeless it was, to bring forward any case, however good, in a Committee, when his Majesty's Ministers had previously made up their minds on it. No person who knew anything of Scotland but must feel, that this measure completely destroyed the influence of the landed interest in the Representation; and threw all the power into the hands of the 10*l.* householders and the village population. He would candidly admit, that he considered the Scotch system of Representation most useful as a part of the English system; and his chief objection to putting an end to that system was, that it would increase the democratic influence in the House of Commons, which, in his opinion, needed no increase. He was also of opinion, that the indirect influence which the Aristocracy exercised in that House was necessary to conduct the government of the country. The chief complaint against the Scotch system of Representation was, the paucity of the electors. He admitted, that they were few in number, but they were equal in fortune and rank to the Members of that House. The Scotch Representation, therefore, sent a strong phalanx to the conservative side of that House, not so likely to be led away by popular influence as the Members for English counties, who were dependent for their seats upon a more numerous constituency, and, in many cases, upon the manufacturing interests. The body of Scotch Representatives, he believed, was most useful in this point of view, as a check upon the increasing democratic influence. Under all the circumstances, he felt it impossible to give his assent to this measure. There was great distress in the manufacturing districts of Scotland, and the embarrassment of trade, and all the evils which the people endured, were now ascribed to the state of the Representation. He trusted, however, to the good sense of the people, that this prejudice would rapidly wear away. He admitted the feeling existed, but it could not induce him to give his assent to a measure which could afford no practical relief to the existing distress. Upon those grounds, he should oppose the second reading, and vote in favour of the motion to postpone the consideration of this Bill.

The *Lord Advocate* disclaimed having said, or intended to say, that any general feeling of hostility existed in the mind of the lower classes in Scotland towards their superiors. What he had intended to convey (though doubtless he had done so imperfectly) was, that as public opinion in Scotland had no legitimate channel, in consequence of the state of the Representation, in case of any great excitement, a degree of hostility might exist in the minds of the lower orders towards those above them.

Sir *James Mackintosh* said, he did not rise for the unnecessary purpose of attempting to strengthen the arguments adduced by the Lord Advocate and his right hon. friend (Mr. Charles Grant), which needed no strengthening; but to vindicate himself from the suspicion of want of sensibility on a question involving the rights, character, interest, and honour of the people of Scotland. The hon. Baronet (Sir George Clerk) defended the Scotch system of Representation on the ground that the oligarchical phalanx which Scotland sent to that House, was a wholesome curb upon the mouth of English democracy. It was rather a mortifying argument, however, for a Scotchman to hear the Representatives of his country designated as a useful check upon the influence of popular opinion, acting on the English Members. A few minutes before the hon. Baronet concluded, he admitted that no people could be more safely trusted with the elective franchise than the people of Scotland, to whom it was about to be extended. When the hon. Baronet admitted this, he left himself no ground to stand upon. He admitted that no nation in the world could be more safely intrusted with popular privileges, and yet he voted against the second reading of a Bill which proposed to give some popular privileges. He was sorry no English Member had taken part in this discussion, for he should have liked to ask any English Gentleman one or two short intelligible questions. Could any Englishman call a government free in which there was not a shadow of popular election? and could an Englishman say any government could be good which was not free? It was admitted by all the opposers of the Bill, that the Representation of Scotland was not in a state of Utopian perfection; that there were some dark spots in its brightness; those consisted, however, in the total absence of that popular influence which was the life of every good system of Representation. It was truly said by the opponents of this Bill, that its supporters could not say, as they had done with regard to the English Bill, that it was a renewal and a renovation. England always possessed a freedom in its system of Representation, from the days of Simon De Montfort until the day before yesterday, when the Reform Bill passed, which was to give that principle a greater extent and greater vigour. In England it was very proper to talk of the Reform Bill as a restoration of ancient principles; but it was impossible, without an insulting mockery of the people of Scotland, to say, that the measure now under consideration restored rights they had never possessed, and renewed a Constitution which they never enjoyed. Such language would be nothing less than the most cruel irony. The hon. Baronet, on the other side of the House, had referred to the pages of history, and had made quotations from them in support of his view of this question of Reform. In many of the observations—the historical observations, if he might so call them, which he made, he perfectly concurred. It was only natural that the descendant of Sir John Clerk should have an accurate knowledge of the history of the Union of the two countries in which his ancestor took so distinguished a part. He thought, however, that he might adopt his historical Representations without any detriment to his own argument. For what was the question? whether the progress of Scotland, in all the arts of peace and war, had been owing to the state of its Representation, or to other causes. He would only take the historical statement of the right hon. Baronet, and upon it he would undertake to determine that question. From whatever period the history of Scotland was looked at, from the time of the Union of the Crowns to the Union of the kingdoms, it was found that it had had the same Parliamentary Constitution, and the same system of Representation it had up to the present day. Yet, under that Parliamentary Constitution, and that system of Representation, Scotland became the scene of bloodshed—the theatre of atrocious crime—of cruel religious and civil wars, and of every horror that could barbarize a nation. Let any man read the account of the state of Scotland at the end of the seventeenth century, given by him whose memory he held in the highest esteem—whom he ventured some time ago to call the last of Scotsmen—the last Scot of the old era, when Scotland was an independent nation. Let any man read the account of the state of Scotland in the last thirteen years of the seventeenth century, written with great purity and power of diction, by one who could command the pen as well as the tongue, and who could use both as boldly as he used the sword—let him read the history given by that great man; and let him say whether it did not lead him to conclude, that Scotland at that time was in a state of actual barbarism. Were they not correct, then, in ascribing the progress which Scotland had made, not to its Parliamentary Constitution, or to its Representative system, but to the union of its Parliament with that of England—to the intimate connexion thus formed between the two countries—to the ideas imbibed by the Scotch gentry, from their association with the gentry of England, and to the example of a free government, which they daily saw in the practice of that of England? The hon. Gentleman on the opposite side, seemed to attribute all the improvements which, within the last century, had taken place in the state of Scotland, to its Parliamentary Constitution, and yet he admitted that, under that very Constitution; from the time of Queen Mary down to the reign of Charles 2nd, and even to the period of the Union of the kingdoms, Scotland was the continued scene of rebellion and bloodshed, and of all the horrors of civil and religious wars, accompanied with every aggravation that absolute barbarism could afford. Surely, then, their mode of explaining the progress which Scotland had made in civilization, and in all the arts of peace—in commerce—in manufactures—in agriculture—in learning and science, was more reasonable than to ascribe it to a cause which, for a long period before, did not produce the same beneficial effect. They were told that the measure which was now proposed would enable the greater proprietors to acquire an influence in the Scotch counties which they did not now possess. And yet the hon. Gentleman who principally advanced this argument, told them, in the very next sentence, that his main objection to the Bill was, that he considered it to be too democratical. He did not know how he proposed to reconcile these two statements. For his part, he was only sorry that he did not agree with him, nor with the hon. member for Lanarkshire, in any of the arguments which they had advanced, except in this—that the flagitious freeholders in one county might be large landholders in another. That might be the case, but it was not as large landholders that they voted. They might be landholders, or they might be proprietors of other property, but as voters they were not necessarily so. He therefore contended, that the system of Representation in Scotland exhibited a double deformity, which it would be difficult to find in any other political institution, shewing, on the one hand, county Members and county voters, neither of them having any necessary connexion with the county to be represented; and, on the other hand, borough Members having no connexion with the people whom they did represent. In short, he could not conceive a greater political monster than that which existed and was called the system of Representation of Scotland. He conceived that that system had not any resemblance to the system by which the people of England were represented. Scotland was, undoubtedly, a country which had many excellent institutions. The doctrines of her Church were pure;

her clergy were respectable and learned; her gentry were well educated, and, above all, her people were as moral, as industrious, and as intelligent, as any in the world. But what could be said of her system of Representation? The abuses, aye, the grossest abuses of the English Constitution, were Utopian perfections compared with the Representation of Scotland; a mode of Representation which did not only contain some abuses, but was in itself one enormous and hideous abuse; a mass of unmixed and unmitigated evil. He defied any man to shew that it bore the slightest resemblance to anything in the shape of a popular Representation. Undoubtedly, the existing system of Representation in Scotland had its conveniences as a means of patronage, particularly to the middle classes of the gentry. Scotland contained a class of gentry of high birth and great respectability, but whose hereditary fortunes were not very large. To them the existing system afforded the means of providing for their sons, by obtaining appointments for them in India, or in any of the British settlements. He had heard of a provident Scotch father, who was so strongly impressed with the desirableness of this sort of patronage, that he bought qualifications in five or six counties, in order to be able to provide for the whole of his family. Before he closed his observations, he begged to call to mind the appeal made to the justice of the House, by his right hon. friend on his right hand. How would the House answer the appeal of the people of Scotland for a share in that popular Representation which was now, and ever had been, the glory of England? The people of Scotland claimed a share in the advantages of such a system of Representation; the partial experience which they had had of it, by their union with this country, had sharpened their desire for it; they had seen it in the state in which it had been most disfigured by abuse, and most distorted by perversion from its proper purpose; yet they had seen it place the English nation among the highest in the scale of the nations of the world. Other countries had had monarchical and aristocratical forms of government, but no other nation in Europe, till within the last half-century, had made any attempt to obtain that most important part of the Constitution of England—a Representation of the people. Would they, he continued to address the English Members, belie the whole of their English experience, and say that a Representation of the people was unnecessary to good government? This they would be obliged to say, if they refused to extend the advantages of Representation to the people of Scotland. They must either say, that a popular system of Representation produces none of the benefits which he had stated, and which were commonly ascribed to it, or they must allow, that it was the Anti-reform system which had produced to Scotland the advantages which she had derived from the Union. If they rejected the measure, they would withhold from Scotland the right which they had given to the smallest of all their dependencies—which they had given to all the provinces of North America, and which a sense of justice would soon compel them to give to those of their possessions in the East, which were now claiming that benefit from their hands; they would give it to every dependency of the empire, and yet they would declare that the people of Scotland were unworthy of it.

Sir *Robert Peel* did not rise to make any observation on the question before the House. His only object was, to set the right hon. Gentleman right with regard to what he had said on Wednesday night. On that occasion he contended, that a great addition would be made by the Bill to popular influence, and that some of the checks and controls would be removed. He pointed out Scotland as one of those checks, but he did not say whether it was a proper check or no; all he said was, that the proposed change would increase the popular influence. He would be the last person to say any thing humiliating to Scotland.

Mr. *Stuart Wortley* thought that the system of Representation in Scotland was wholly untenable, if the principles recognised in the Representation of other parts of the kingdom by the Ministerial measure of Reform were to be confirmed by the Legislature. That system could only be maintained by an unmitigated opposition to popular Representation in the United Kingdom. He would not oppose the Bill in the present stage, but to many parts of it he had great objections. It was difficult, indeed, to apply the English principle of Reform to the Representative system of Scotland. The manufacturing interest in

Scotland stood upon a footing different from that of England. Prescriptive rights, which had been treated with so little ceremony in the English Reform Bill, were of the greatest importance in Scotland. If Reform was to be introduced into Scotland, it would be impossible to maintain the present system of county Representation; it must be changed. He would admit leaseholders to vote, and lower the value of superiorities. He did not wish then to go further into the details: he was only desirous of shewing that he had substantial reasons for not opposing the second reading of the Bill. By permitting the Bill to go into Committee, he did not pledge himself to support it at a future stage, for, if not greatly altered in Committee, he should feel bound to resist it to the utmost.

Sir *George Murray* would take up as little time as possible in addressing the House on this subject, and would endeavour to follow the recommendation given by the learned Lord, not to enter into the examination of the details of the Bill further than it might be impossible to avoid. His objections to the general Bill, of which that now before them formed a part, had been all along chiefly directed against its principles, and they were so so strong as to leave him no alternative but that of opposing its second reading. He should, as shortly as he could, state his reasons for doing so. If he felt greatly interested in the Bill which had been lately under their consideration, for altering the system of Representation in England and Wales, he must naturally feel much more interested in the Bill before the House, which was to make a complete and a sudden change in the system of election and the constituent body, which had, up to this time, existed in his native country. He felt that he should be under the necessity of referring to the English Bill in the course of the observations with which he should trouble the House; for the whole question of Reform by means of these Bills, was so intimately combined together, that it was not possible to make allusions to one part without introducing matters connected with the others. It appeared to him, that if the Bill for England were dangerous, in consequence of the great changes which it would introduce into the Constitution, the extending of similar, or even greater alterations, into another part of the United Kingdom, could only increase the danger which was to be apprehended. He had before stated, that he should abstain at present from going into details—another, and more convenient opportunity would occur for doing so; but his objections to the principle of the measure were strong and decisive, and this was the period of the discussion when it was proper to make objections of that nature. He never was an enemy to all Reform; and he had, upon every occasion, been ready to admit of the expediency of some modifications in the Scotch system of Representation; but he objected to the utter abandonment of the principle of Representation which had ever existed in that country, and under which the people of Scotland were enjoying so much liberty, and had attained their present high degree of prosperity. It was truly said of the English Bill, that it occasioned great changes in the ancient institutions of the country; but the Scotch Bill went far beyond that, as it completely overturned and destroyed the system of Representation which had existed in that portion of the empire both before and subsequent to the Union. It had been said, that Scotland had never had an independent Representation, and that this had arisen from the body of the people of Scotland having had no direct share in the election of the Members returned from the counties and burghs of that portion of the United Kingdom. He could not concur in this doctrine; for he thought that the real interests of the people of Scotland had been most ably represented, and he considered, that nothing could be more independent than the system of Representation in the larger Scotch counties. He felt himself perfectly independent—as much so as any Member in that House—as the Representative for a Scotch county, and much more so, perhaps, than he could expect to be if this Bill should be brought into operation. It was contended that there were no Representatives for the Scotch counties, because the large mass of the people had no share in the election; and he thought the noble Lord, the Chancellor of the Exchequer, also said, that there was this objection to the system of Representation in Scotland, that the Members from that part of the kingdom were not sent to this House by a numerous constituency. But what sort of a constituency was it intended to form by this Bill? It was proposed to create a large constituency by conferring the franchise on all the 10*l*.

householders in the towns which had not a share in the burgh Representation; and, as a sort of balance, to prevent the too great preponderance of the town interests, it was intended to confer the franchise also on the farmers. By this means, an attempt was made to equalize as much as possible the different interests; but it was obvious that this was to create a numerous constituency of one kind of voters, and then to neutralize their power by creating a numerous constituency of an opposite description. How did this system of Representation work in the English counties, where there was a numerous constituency? The noble Lord, the Chancellor of the Exchequer, said, in allusion to an objection that was started by some hon. Gentleman, as to giving three Members to a county—that he was perfectly well acquainted with the arrangement by which the two Members for that county had heretofore been returned, and that he believed he could make a pretty accurate guess at the arrangement which would be made for the election of the three Representatives who would be allowed by the Bill. Now, this was a distinct admission that the return of the Members for the English counties, even under this Reform Bill—the ostensible object of which was to destroy nomination—would be under the direct influence of two or three of the great families in a county; and that the large constituencies which were to be such a boon to the people of Scotland, were, in the English counties, to a great degree under the control of an oligarchy. He could not think, that the Representation in Scotland would be benefitted by a system which would supersede the present independent electors for the purpose of introducing such a system of control as had been described by the noble Lord. The Scotch Members were not now returned by an oligarchy; but he feared that this Bill would lead to the exercise of a species of control over the proposed electors, of a nature that would destroy that kindly feeling that at present existed, and indeed had ever existed, in Scotland, between the landlord and tenant, and, generally, amongst all ranks and classes of society. At present the Representatives from Scotland were truly independent; for on the one hand they were not called upon to court, by popular arts, a numerous constituency, nor, on the other, were they the nominees of noble families. In the county which he had the honour to represent, there were several resident families of the highest distinction, but none of them exercised a direct control over the return of the Member. He had had the honour of the support of all these families, many of whom had been connected with the county of Perth as far back as the records of history extended. At present none of these families possessed an overwhelming influence, and certainly he should not think it desirable that any one or two great families in the county should be able to influence the return of the Member, to such a degree as to destroy the independence of the country gentlemen possessing less extensive properties, and it was obviously an objectionable part of the proposed Bill, that it was calculated to throw too great an influence into the hands of the principal families. With regard to the influence of the Scotch Representatives in that House, it was a most salutary one. He had uniformly looked at these Bills with reference to the change they would effect in the general character of the House of Commons. There must always be in that House, from the very nature of the constituency which elected them, a number of Members who must constantly be the advocates of popular rights, and whose endeavour it would be to extend democratic principles. It was, therefore, necessary to have in the House of Commons a proportion of Members also, who, from the mode of their election, would be the supporters of other principles; and having lessened that number in England by the English Bill, it would be inexpedient, and even dangerous, to disturb, at the same time, the Scotch system of Representation, the general tendency of which was, to resist the excess of democratic influence. If all the Members in that House were returned by democratic influence, and by numerous constituencies, the most dangerous result would follow, and there would soon be an end of many of the most admirable institutions. But what were the reasons assigned for the mighty change proposed by the Bill? What were the motives which had induced Ministers to bring forward this measure? It was stated that the people demanded it. He should be very desirous of gratifying the demands of the people, if it could be safely done, but it must be remembered, that the demands which were now made, did not originate with the people themselves, but that the grounds upon which the people proceeded were suggested to them by the originators of this Bill. But, believing, as he did, that it was not safe for the people to make such extensive and untried changes in our institutions, he could not consent to yield to the popular judgment on this question. He considered the demand of the people as injurious to their best interests, and, therefore, could not consent to give way, and abandon his opposition to the Bill. With reference to Scotland, the people there had been excited by the Bill, and the demands for such changes as it proposed to make in that portion of the empire, did not become urgent until the Bill was brought forward. The right hon. Baronet, the member for Honiton, said, that the Bill had been a firebrand in the country. He agreed with him—it resembled the fiery cross which, according to a Scottish poet, used in former times to be sent from house to house, and from village to village in Scotland, to rouse the people to arms. Such was the manner in which this Bill was made use of to stir up the multitude. The noble Lord and Gentlemen opposite had often told the House, that the only way to allay the excitement produced by the advocates of this Bill, was to make concession; but he could allow no such unsafe conclusion to be come to, when the permanent interests of the country were at stake. The proposal indeed reminded him of an expression in the same poet to which he had just alluded; where, with reference to another passion, he said :—

> "Go fetter flame with flaxen band,
> And stop the stream with moving sand."

A similar result would be the consequence of an attempt to satisfy the popular demands; and, by endeavouring to allay by extravagant concessions, the excitement raised by this Bill. Allusions had been made to the probable fate of the Reform Bill in the other House: they had no right to anticipate what the House of Lords would do on this subject; and still less had they a right to represent to the people, that it was a question in which the Sovereign felt personally interested. The King's name had been most improperly used, and this had tended much to the excitement of the people. They had no right to anticipate what might be the King's decision upon the Bill, nor could they, constitutionally, have any knowledge of his Majesty's sentiments upon it, until it had been submitted to him after having passed the other two branches of the Legislature. He should feel very great anxiety for any Sovereign who placed his whole reliance on the popular voice, and who was induced, in consequence of excitement, to yield to popular demands. It had been most industriously circulated in Scotland, that the King was desirous that this Bill should pass, and an alliance had been represented to have been formed in the King's name between monarchy and democracy. This opinion had been greatly strengthened by expressions similar to one which he recollected to have heard used in that House during the last Parliament —that this was the cause of the King and the people against the Aristocracy. He could not conceive anything more dangerous to the continuance of a monarchical form of Government, than an alliance of this nature. He could only conceive two alternatives under which such an alliance could be made, and neither of these alternatives existed in this country. The one alternative was, where a Prince was so weak as to allow himself to be made the instrument of a popular faction. Several cases were mentioned in history, which pointed out the danger to the State of an alliance between monarchy and democracy under such circumstances. The fate of Louis 16th ought to serve as a warning against such a step. That Prince placed all his power in the hands of M. Neckar, who endeavoured to carry on the government by making concessions in every instance to popular clamour, and the most fatal consequences ensued, both for the king and for the people. The other alternative was, when a sovereign, carried away by ambition, and reckless of consequences, sought for the attainment of arbitrary power in a way in which it had often been obtained before, namely, by employing democracy to overturn all other authorities in the State, trusting to being able, when that had been effected, to spurn the ladder by which he had ascended, and to trample upon the necks of the people; and a more sure way could not be devised of destroying the rights and liberties of the people, than by commencing by the destruction of the Aristocracy. This was not a new opinion in the world, for, on referring to the historian of Rome, they found that such was the advice that one of the Tarquins gave to his son, as to the mode in which he should obtain absolute power in a neighbouring city in which he had ingratiated himself with the citizens. He told him to destroy the Aristocracy, and then he would not be long before he would be able to triumph over the liberties of the people. It was of the utmost consequence to the preservation of the liberties of the people, that an intermediate body should exist between them and the Throne, which should have an interest in maintaining the rights of both, and thus preserve the balance between monarchy and democracy. He earnestly deprecated, therefore, the attempt that had been made to induce a belief that the King and the people were to be united against the Aristocracy; than such an impression, nothing could be more injurious to the Sovereign, or more prejudicial to the best interests of the people themselves. As reference had repeatedly been made to the French Revolution in the course of these discussions on the Reform Bill, he would once more allude to the case of Louis 16th and his minister, M. Neckar. They had been told to call to mind what the nobles of France lost by their resistance to the popular voice, although their losses could, with more historical accuracy, have been imputed to concession. But a question might be asked, of much more importance, with reference to the present discussions. What did the people of France gain?—for the important question was not, what can others lose—but what are the people to gain by the proposed changes? What had the people of France gained by the alteration which they had made in their constitution, and by the entire subversion of their ancient institutions? were they now nearer the promised land of liberty than when they commenced their journey in search of it forty years ago? No! after all their wanderings, sufferings, disgraces, and disasters, they were, perhaps, not now nearer to the enjoyment of real liberty and happiness, and the possession of a permanent and free Constitution, than they were at the outset of their attempt. The leaders of the French Revolution acted upon the principle of destroying the ancient institutions, and of overturning the social edifices that had existed for generations. The learned Lord now admitted that he was desirous of proceeding on a similar principle, notwithstanding he had this striking example of the failure of such a course when pursued in France. The learned Lord said, that he would not have one rag or shred existing in Scotland of its old system of Representation—not one stone standing upon another of the former edifice. He had not the least doubt that many of the leaders in the French Revolution were actuated by the most honest intentions, and the most benevolent motives, in the cause they adopted, but how wofully they failed in all of them! They were desirous of forming a Constitution on theoretical views of ideal perfection, and for this they abandoned those courses which history and experience had pointed out as the best that could be followed. Indeed, this seemed to be the error of all political Reformers; they looked not to practical good through experience, but to theoretical good through speculation. England and Scotland had known unexampled prosperity, because they had adhered to the guidance of experience, whilst their neighbours had trusted to their own speculative opinions, and to the untried conclusions of their own judgment. It was to their unequalled Constitution that the English were indebted for all the benefits they enjoyed. He did not look to what might be called the theory of the Constitution, but to its practical operation. The Reformers who supported these Bills went upon the opposite principle—and because the present constitution of that House did not correspond in all its features with the theory of Representation, it must be altered. What was it that made all nations regard the British Constitution with envy? It was undoubtedly the practical efficiency which it had hitherto shewn in cherishing all the various interests of the community, and which had tended so much, not only to the maintenance of the great principle of the security of property, combined with general freedom, but also to the increase of the wealth and industry of the people, and the power and greatness of the State. But this did not satisfy speculative politicians—they did not look at that which had produced all these benefits, but at the picture which had been drawn of it by those who had sought to pourtray it; and in place of doubting the exact accuracy of those sketches, they wanted to force an alteration of the features of the original to make them correspond with those of the picture. The learned Lord admitted fully, that the wealth and industry of the people of Scotland had greatly increased during the last century—and every one, indeed, who had any knowledge of Scotland must admit, that during these last fifty years it had exhibited, not a sudden and precarious, but a radical and regularly-progressive course of improvement, unexampled, perhaps, in any other country, and which it must afford the highest gratification to all who were connected with it to contemplate. The right hon. Gentleman opposite (the President of the Board of Control) had, with his accustomed eloquence, drawn a beautiful picture of the present condition of his native country. He had admitted all that he (Sir George Murray) had said of her general prosperity, and he had dwelt with peculiar satisfaction upon her learning, and that sympathy which so happily existed there amongst all ranks and classes of society. Yet hon. Gentlemen were willing, and even anxiously desirous, that the continuation of all this should be put in jeopardy, for the sake of a speculative experiment of the most doubtful success! They argued, that the country had advanced to prosperity in this extraordinary manner, and in civilization and every kind of improvement, in spite of the badness of its political system—but their reasoning on this head was much too paradoxical for him to assent to, or to comprehend. He admitted that there were blemishes in the Representative system of Scotland, but they were not such as might not be easily removed; and he could not think that the defects in their system called for so rash, so sudden, and so fatal a change as was proposed to be effected by the present Bill. He was not opposed to a gradual and well-digested modification, but decidedly inimical to such destructive innovations as the present. He should like to have it pointed out to him more clearly than had hitherto been done, that the people would gain by this change; and that the mass of the population of the country would derive great, and essential, and permanent advantages from it. This he asked as a Representative of the people. It had been said, that the proposed measure of Reform, brought forward by his Majesty's Ministers, would protect the people against the recurrence of expensive wars; but, before he could admit this, it was necessary to prove to him that democracy was not prone to war. Let the House look at France—which was the war party in that country? The government there was sincerely desirous of peace, but the democracy would not hear of peace; and it was with the utmost difficulty that the government could maintain itself against that party. The king of the French was compelled to boast, in his opening speech to the Chambers, of having sent a plundering expedition to Lisbon, that he might conciliate the democracy, and gratify the popular love of vain glory. And since then, a minister had lost the favour of the democracy, and had actually resigned his office, he was reinstated in the popular favour and replaced in office, by the mere announcement of the march of a French army into Belgium. The Government of this country was perfectly aware that the French ministry had been obliged to court popularity by feeding the appetite of the people for military exploits; and had even acquiesced, in some degree, in that line of conduct, rather than allow the tottering government of France to be overthrown, and France, and all Europe, perhaps, to be plunged by that event into the miseries of war. Let it not be said, then, that democracy was friendly to peace. He did not condemn the people. Even at the moment when a multitude was guilty of the greatest and most criminal excesses, they acted under the momentary delusion that they were doing what was right; but they did what was wrong, because they fell into the hands of artful, selfish, cruel, and often cowardly demagogues. An hon. friend of his (the member for Kirkaldy) had said, that all that Scotland required was, the alteration of the present mode of election, and, if that were altered, that forty-five Members would be sufficient. He must protest against that doctrine. If Scotland was to have this measure of Reform, she should have its advantages, as well as its defects. If the principle of giving Representation on the ground of population was to be applied, either with reference to the general population of the kingdom, or to English and Welsh counties and boroughs separately, Scotland had a just claim to benefit by the application of the same principle. This was, indeed, one of those principles which, together with some others which he should not stop now to criticize, must render it impossible that the present measure of Reform could be a final measure; but he could not consent that the large Scotch counties should have but one Representative, although some of them had a greater population than counties in England and Wales, to which three Members had been given by the English Bill; nor could he consent that large towns and cities in Scotland should be unrepresented, whilst places in England with 2,000 inhabitants had one Member, and those with 4,000 inhabitants retained two Representatives. He could not avoid remarking, that the nature of the votes in Scotch counties, called superiorities, was liable to be very greatly mistaken. These votes had been called "paper votes," from which Gentlemen unacquainted with Scotland might be led to suppose, that they could be created at pleasure, and to any amount; but that was not the case, for each of those voters must represent, and be connected with a certain extent of landed property. These voters were, in many instances, the representatives of that influence which the noble Lord opposite had called the "legitimate influence of property." That legitimate influence of property, however, which the noble Lord was willing to preserve, would be in a very precarious state, even in England, after the passing of the Reform measure; for it bore too near a resemblance to nomination, to allow it to escape the improvement of future Reformers. But the noble Lord might, perhaps, say, how could the influence of property be destroyed, unless property itself be destroyed? But future Reformers would find an easy remedy, and, by doing away with the law of primogeniture, they would at once remove that influence of property which, according to them, would be an evil too much akin to nomination, to be allowed to remain. The noble Lord (the Chancellor of the Exchequer) had admitted, not long since, in that House, that he had been a party-man all his life. He did not blame the noble Lord for it; and he must say, that there had been no improper indication of party-feeling evinced by the noble Lord throughout the whole of the discussion on the measure. The noble Lord had conducted himself with the greatest good-temper, and the greatest fairness, in all these discussions, and had discharged the task he had undertaken in a most becoming manner, and with unremitting diligence and attention. He respected, also, the private character of the noble Lord who was at the head of his Majesty's Ministers. He acknowledged and admired his abilities. But he sincerely lamented that those noble Lords and their colleagues had been led away by principles which would draw them along with a gradually-increasing power, like that of a whirlpool, against which no strength could successfully struggle, until they were carried, at last, to the shipwreck, both of themselves and of their country.

Lord *Althorp* did not think that he was called upon to discuss the general question of Reform on that occasion, though the greater part of the speech of the right hon. Baronet related to that. In his opinion, the question before the House was, whether, having applied the principle of Reform to England and Wales, it would be judicious to extend that principle to Scotland,; and he must say, that it appeared to him a monstrous proposition, that Reform having commenced, it should not be extended to Scotland. The right hon. Gentleman had admitted that there were blemishes in the Representation of Scotland; but he should say, that there was but one blemish, and that it was such a one as to cover and blot the whole system. It was also said, that the call for Reform in Scotland had only arisen in consequence of the introduction of the Reform Bill: but the hon. member for Dumfries had truly stated, that the desire for Reform in Scotland had been gradually growing stronger and stronger every day for a considerable period of time. But, it was said, that Scotland was in a very flourishing state without a Representation; and upon that it was asked, why should Representatives be given to it? But that appeared to him to be no argument at all on the question of Representation; for, no doubt, it had happened before, in the history of the world, that countries unrepresented had arisen to a high pitch of prosperity. The manner in which the right hon. Gentleman had argued for an increase of Members for Scotland, appeared to him to be a little inconsistent with the apprehension which the right hon. Gentleman expressed as to the democratic principle of the Bill. There was one point, however, in which he fully concurred with the right hon. Gentleman, which was, that the influence of property ought never to cease to exist as long as the property itself existed; but, at the same time he must contend, that the very principle of this Bill was, to give due weight to the influence of property. The best proof of the necessity of Reform was the general discontent that had been evinced by the people all through the empire; which appeared to him to be a practical illustration of the necessity of Reform and improvement; and it was the desire to effect that improvement which had induced his Majesty's Ministers to bring forward these Bills.

Mr. *Hunt* said, he should not have risen were it not for the observation of the learned Lord, that the excitement and the desire for Reform were great in Scotland. He did not say, that they were in favour of this Bill. The learned Lord said, he did not mean the Radicals and the rabble. He would ask the learned Lord, whether, at the last election, he did not find the Radicals and the rabble very convenient allies? The walls of the House often resounded with the praises of their system of Representation, the envy and admiration of surrounding nations. What would become of the envy of surrounding nations when the last rag, the last shred of the Scotch Representation was taken away?

Mr. *Cresset Pelham* opposed the Motion. He thought it would have been more convenient if this Bill proceeded *pari passu* with the other. It was every way as objectionable as the other.

The House then divided on the original Motion:—Ayes 209; Noes 96 — Majority 113.

The Bill read a second time, and the question being put that it be committed for Monday,

Sir *Charles Forbes* said, the speech of the learned Lord was the most Radical speech he had ever heard. The learned Lord had done more that night for the destruction of the happiness of the country than he had done by the whole of that publication which had been under his direction. He proposed to destroy the whole of the Representative system of Scotland, and not to leave one stone standing upon another. This Bill was not so fully discussed as the importance of it required.

The Bill ordered to be committed for Monday.

List of the AYES.

Adam, Admiral C.
Agnew, Sir A.
Althorp, Viscount
Baillie, J. E.
Bainbridge, E. T.
Baring, F. T.
Bayntun, Captain
Benett, J.
Bentinck, Lord G.
Bernal, R.
Blake, Sir F.
Blamire, W.
Blount, E.
Bouverie, Hon. D. P.
Briscoe, J. I.
Brougham, W.
Brougham, J.
Buller, J. W.
Bulwer, H. L.
Bunbury, Sir H. E.
Blackney, W.
Bourke, Sir J.
Brown, J. D.
Byng, G.
Calvert, N.
Campbell, W. F.
Campbell, J.
Carter, J. B.
Cavendish, C. C.
Cavendish, H. F. C.
Chaytor, W. R. C.
Crampton, P. C.
Chichester, J. B.
Chichester, Sir AP.
Clifford, Sir A.
Clive, E. B.
Colborne, N. W. R.
Cradock, Colonel
Creevey, T.
Currie, J.
Curteis, H. B.
Denman, Sir T.
Dixon, J.
Don, O'Conor
Douglas, W. K.
Dundas, Hon. Sir R.L.
Dundas, Hon. J. C.
Dundas, T.
Ebrington, Viscount
Ellice, E.
Etwall, R.
Evans, Col. De Lacy
Evans, W.
Ewart, W.
Ferguson, R.
Fergusson, R. C.
Fitzgibbon, Hon. R.
Foley, J. H. H.
Folkes, Sir W.
Fordwich, Lord
Foster, J.
French, A.
Gillon, W. D.
Gisborne, T.
Godson, R.
Gordon, R.
Graham, Sir J. R. G.
Graham, Sir S.
Grant, Right Hon. R.
Grant, Right Hon. C.
Grattan, H.
Grattan, J.
Handley, W. F.
Harcourt, G. V.
Hawkins, J. H.
Heron, Sir R.
Heywood, R.
Hobhouse, J. C.
Hodges, T. L.
Hodgson, J.
Horne, Sir W.
Hoskins, K.
Howard, P. H.
Howick, Viscount
Hughes, W. H.
Hume, J.
Hunt, H.
Ingilby, Sir W. A.
James, W.
Jeffrey, Right Hon. F.
Jephson, C.D. O.
Johnston, A.
Johnston, J.
Johnstone, J. J. H.
Jones, J.
King, E. B.
Knight, R.
Knox, Hon. Colonel
Lamb, Hon. G.
Lambert, H.
Langston, J. H.
Lawley, F.
Leader, N. P.
Lee, J. L.
Lefevre, C. S.
Leigh, T. C.
Lemon, Sir C.
Lennard, T. B.
Lennox, Lord J. G.
Lennox, Lord A.
Loch, J.
Lumley, J S.
Maberly, Colonel
Maberly, J.
Macaulay, T.B.
Macdonald, Sir J.
Mackenzie, Sir J.
Mackintosh, Sir J.
Macnamara, W.
M'Leod, R.
Mangles, J.
Milbank, M.
Mills, J.
Moreton, Hon. H.
Morpeth, Viscount
Mostyn, E. M. L.
Mullins, F.
Musgrave, Sir R.
North, F.
Norton, C. F.
Nowell, A.
Nugent, Lord
O'Connell, M.
Ossory, Earl of
O'Ferrall, R. M.
Owen, Sir J.
Paget, T.
Palmer, C.F.
Parnell, Sir H.
Payne, Sir P.

Palmerston, Viscount
Pendarves, E. W.
Penlease, J. S.
Petit, L. H.
Petre, Hon. E.
Philipps, Sir R.
Ponsonby, Hon. W.
Ponsonby, Hon. G.
Power, R.
Poyntz, W. S.
Price, Sir R.
Protheroe, E.
Pryse, P.
Ross, H.
Ruthven, E. S.
Ramsbottom, J.
Ramsden, J. C.
Rickford, W.
Robinson, Sir G.
Robinson, G. R.
Rooper, J. B.
Russell, Lord J.
Russell, R. G.
Sanford, E. A.
Scott, Sir E. D.
Sebright, Sir J.
Skipwith, Sir G.
Smith, J.
Smith, J. A.
Smith, R. V.
Smith, G. R.
Smith, M. T.
Stanhope, Captain
Stanley, E. J.
Stanley, Rt. Hon. E. G.
Stanley, Lord
Stephenson, H. F.
Stewart, P. M.
Strickland, G.
Strutt, E.
Stuart, Lord J.
Stuart, Lord D. C.
Stewart, Sir M. S.
Tennyson, C.
Thicknesse, R.
Thompson, Ald.
Thomson, Rt. Hon. C.
Throckmorton, R. G.
Tomes, J.
Torrens, Colonel
Traill, G.
Tyrell, C.
Vere, J. J. H.
Vernon, Hon. G. J.
Villiers, T. H.
Walker, C. A.
Warburton, H.
Warrender, Sir G.
Waterpark, Lord
Watson, Hon. R.
Webb, Colonel
Westenra, Hon. H.
Weyland, J.
Weyland, Major
White, S.
Whitmore, W. W.
Wilbraham, G.
Wilde, T.
Williams, J.
Williams, W. A.
Williams, Sir J. H.
Williamson, Sir H.
Willoughby, Sir H.
Wood, Ald.
Wood, J.
Wood, C.
Wortley, Hon. J. S.
Wyse, T.

TELLER.

Kennedy, T. F.

List of the NOES.

A'Court, E. H.
Alexander, James
Arbuthnot, Col. C. G. J.
Arbuthnot, Hon. Gen.
Balfour, J.
Bankes, W. J.
Bankes, G.
Beresford, Colonel M.
Blair, W.
Boldero, H. G
Brudenell, Lord
Bruce, C. C. L.
Brydges, Sir J.
Buller, Sir A.
Burge, W.
Burrard, G.
Cole, Lord
Cole, Hon. A.
Conolly, Colonel
Cooper, E. J.
Corry, Hon. H. L.
Courtenay, Rt. Hon. T.
Cumming, Sir W. G.
Cust, Hon. Colonel E.
Davidson, D.
Dering, Sir E. C.
Domville, Sir C.
Douro, Marquis
Dundas, R. A.
Encombe, Viscount
Fane, Hon. H. S.
Ferrand, W.
Forbes, Sir C.
Forrester, Hn. G. C. W.
Fox, S. L.
Freshfield, J. W.
Gordon, Colonel J.
Gordon, J. E.
Gordon, Hon. Capt. W.
Goulburn, Rt. Hon. H.
Graham, Marquis
Graham, Lord M. W.
Grant, General Sir C.
Grant, Hon. Col. F. W.
Handcock, R.
Hardinge, Sir H.
Hay, Sir J.
Hayes, Sir E.
Herries, Rt. Hon. J. C.
Holmes, W.
Hope, J. T.
Inglis, Sir R. H.
Ingestrie, Viscount
Jenkins, R.
Knight, J. L.
Lefroy, Dr. T.
Lefroy, A.
Legh, Colonel T.
Lindsay, Colonel J.
Lowther, Hon. H. C.
Lowther, J. H.
Maitland, Viscount
Maitland, Hon. A.
Malcolm, Sir J.
Maxwell, H.
Meynell, Captain H.
Miles, W.
Miller, W. H.
Murray, Rt. Hon. Sir G.
Neeld, J.
Peach, N.
Pearse, J.
Peel, Rt. Hon. Sir R.
Perceval, Colonel
Pelham, J. C.
Pemberton, T.
Pollington, Lord
Porchester, Lord
Praed, W. M.
Pringle, A.
Pringle, Sir W. H.
Pusey, P.
Rae, Rt. Hon. Sir W.
Ramsey, W.
Rochfort, Colonel G.
Rose, Rt. Hon. Sir G. H.
Rose, Captain P.
Scott, H. F.
Severn, J. C.
Sibthorp, Colonel
Somerset, Lord G.
Stewart, Sir H.
Stormont, Viscount
Tullamore, Lord
Taylor, G. W.
Ure, M.
Villiers, Viscount
Walsh, Sir J. B.
Wrangham, D. C.
Young, J.

TELLERS.

Clerk, Sir G.
Douglas, Hon. C.

REGISTRY OF ARMS (IRELAND).] Mr. *Stanley* had stated last night, his intention, in consequence of the advanced period of the Session, and the absolute necessity of asking for some Bill on the subject, to move for the discharge of the Order for the adjourned debate on the Importation of Arms, and the Keeping of Arms in Ireland Bill, with a view of bringing in another Bill to revive for one year, the Acts 47th and 50th George 3rd, which had been in force for many years, but which had now expired. He should, therefore, move, that the Order of the Day be discharged, that the expiring Bills might be revived for twelve months.

Sir *Robert Peel* was gratified to hear of the approaching termination of the Session; but at the same time, he could hardly admit it as a proper ground, or a proper excuse for withdrawing the two important Bills relating to Ireland, which the right hon. Gentleman, in the course of the Session, had introduced. Even supposing that their labours for the Session were about to close, surely there were still the same facilities for discussing these measures in September, as there would have been in May or June. He certainly should have thought that upon such a subject, no measure would have been introduced which was not necessary; but to propose measures of extreme severity, and then to withdraw them without discussion, for the only reason that the Session was too far advanced, appeared to him to be both inconvenient and improper.

Mr. *Stanley* was obliged to the right hon. Baronet for the lesson which he had read to him. He had brought forward the measures upon the subject of the importation of arms, and the keeping of them in Ireland, under the full conviction that some fresh regulations upon those subjects were absolutely necessary; and he conceived, that whatever course with respect to these Statutes might hereafter be adopted, it would, at all events, be advisable to make some such amendments as should render them more effective. Almost the only Amendment that he proposed, was a clause providing that the arms which were now required to be registered, should also, at the time of registration, be marked, so as to enable them to be more easily traced. There certainly were other alterations; but they were not of so pressing a nature as imperatively to demand that he should carry them through in this Session of Parliament. The Bill to which he had alluded expired next Session; and it was desirable, that before that time arrived, there should be some law in its place. The right hon. Baronet had been pleased to assume that he made some allusions to a probable prorogation. He never had said anything to warrant him in this assumption. He said that the lateness of the period prevented him from bringing the subject forward as he intended, but he did not say one word respecting the probable termination of the Session. He intended to proceed in the course that he had stated, and it was absolutely necessary that there should be as little delay as possible in doing so. It was necessary that a Bill of Indemnity should pass in as short a time as possible, as otherwise the Magistrates of Galway, Mayo, and Clare, would be exposed to the risk of proceedings being instituted against them for steps which they had taken, and which mainly contributed to the preservation of the peace of that part of Ireland. The course that he had adopted did not deserve the language applied to it by the right hon. Baronet, and it was not true that he had brought forward a measure without consideration, and then abandoned it without regret.

Sir *Robert Peel* did not say a word about the consistency of the right hon. Gentleman, and therefore his observations on that point were ill-timed and uncalled for. The right hon. Gentleman said, a few weeks ago, that he brought forward a Bill which he submitted to the House for the registration of arms, as he considered that such a measure was absolutely necessary to the preservation of the peace in Ireland, and to the maintenance of the just authority of the Crown. This Bill was of unusual severity, and imposed the punishment of transportation for merely possessing arms that had not been registered. Before this Bill was brought forward it ought to have been well considered; and if this had been done, it ought not to have been abandoned in the manner in which it was by the right hon. Member. According to his understanding of common terms, the expression—the late period of the Session—implied the termination of it. He did not charge the right hon. Member with inconsistency, in having brought forward a Bill and abandoning it; but his conduct appeared to him (Sir R. Peel) to be liable to the charge of having acted with some degree of levity on the subject.

Mr. *Stanley* said, it would be in the recollection of the House, that when he brought forward that Bill, he stated that it was a modification of the laws which had formerly existed on the subject. When the penalty that he proposed should be inflicted, was compared with those which were imposed under former Governments for offences of the same character, his measure would be found comparatively mild. His Majesty's Government thought it inexpedient to resort to unconstitutional measures which had formerly been brought into operation; it was, therefore, considered proper that some step should be taken with respect to the registration of arms. He never proposed that punishment to the extent of transportation for life should be inflicted by a bench of Magistrates without the intervention of a Jury. He admitted, that he withdrew the measure submitted to the House in consequence of the decided opposition to his Motion of those hon. Members to whose opinions he was in the habit of looking with deference and respect. He did not now state for the first time that he did not press the Bill for the reasons now given; he said, that the opposition of those most zealous in the support of the Government had been the reason that induced him to abandon a measure, which he had only proposed should be operative in particular seasons of difficulty and disturbance. He trusted that his conduct, since he had the honour of holding his present office, had sufficiently shewn that he had no desire to exercise any great degree of severity, or to bring into operation any new law. If, for the conduct which he had pursued, he was deserving of the imputation of levity of conduct, which the right hon. Baronet had charged him with, he must bear it patiently.

Mr. *Henry Grattan* said, that so far from the right hon. Gentleman deserving blame for the course he had now pursued, every credit should be bestowed upon him for his conduct.

Order of the Day discharged.

HOUSE OF LORDS,

Monday, September 26, 1831.

MINUTES.] Bills. Committed; London Coal. Read a second time; Special Constables; Administration of Justice (Ireland); Decrees in Equity.

Petitions presented. By the Duke of RICHMOND, from the Parish of St. Nicholas, Galway, in favour of the Galway Franchise Bill; and by the Marquis of CLEVELAND, from the Protestants of Galway. By the Earl of ELDON, from the Inhabitants of Cara Brecon, a similar Petition; and by the Marquis of LANSDOWN, a similar Petition from the Inhabitants of Bottermore, and from the Retail Traders of London, praying that Sunday Traffic may be prevented. By Lord DACRE, ftom the Coal Meters, Surrey, against the Coal Bill. By the Earl of ESSEX, from the Inhabitants of Leominster, in favour of Reform. By the Earl of MULGRAVE, similar Petitions from Whitby and Gisborough, Yorkshire. By Lord SUFFIELD, a similar Petition from North Orpingham, Norfolk. By the Duke of HAMILTON, a similar Petition from the Operatives at Lanark.

REFORM PETITIONS.] The Marquis of *Westminster* said, that he rose to present to their Lordships a Petition from the City of Westminster in favour of the measure of Reform which had been introduced by his Majesty's Ministers, and he hoped that in doing so he should be allowed to make a few observations with a view to direct their Lordships' attention to this very important petition. While he was one of those who thought that their Lordships' doors ought to be thrown wide open to the petitions of the people, he was quite alive to the great inconvenience which arose from discussing general questions on the presentation of petitions. But there were exceptions to that rule, and he thought, that when presenting such an important petition as the one he held in his hand, upon such a great and important subject as that to which it referred, and which was very shortly to come under their Lordships' consideration, he was bound, both in justice to the petitioners and to their Lordships, to call their Lordships' particular attention to the prayer of the petition. He did not mean on this occasion to go into a detailed examination of the merits or demerits of the measure of Reform, nor was it his intention to enter upon a discussion of the principle of the Reform Bill which had been sent up to them from the other House. His intention merely was, to introduce this petition to their Lordships' notice with a few prefatory remarks. The petition, as he had already stated, was from the city of Westminster. He understood that it had been agreed to at a most numerous and respectable meeting, and that it was adopted unanimously. This petition, like numerous others that would be presented to their Lordships before the Reform question came on for discussion, had been caused by certain declarations which had been made in that and the other House of Parliament, to the effect that the opinions of the people had changed on the subject of Reform—that though they were very anxious for the measure some time ago, they were not so now—and that, in fact, a considerable re-action had taken place in the public mind. It was to disprove that unfounded assertion that this meeting had been held in the city of Westminster. Meetings for the same purpose were now being held all over the country, and he had no doubt, that before the question came under their Lordships' consideration, similar petitions would be presented to them from all parts of the country. The Livery of London had already met and agreed to a petition on the subject, and a few days ago a most important meeting, which combined within it the wealth, the intelligence, and the commercial respectability of the city of London, was held, at which a petition to their Lordships was adopted, expressive of the unabated anxiety which the petitioners still felt for the success of the Reform Bill. Their Lordships would do well to attend to the sentiments which fell from the highly influential, independent, and wealthy individuals who addressed that meeting. Several of them gave it as their decided opinion, that if by any accident the important Bill now before their Lordships should happen to be rejected by them, the greatest indignation and disappointment would be excited throughout the country—that one of the consequences of its rejection would be, a fatal blow to public credit; and it was further asserted, that the rejection of the Reform Bill by their Lordships might lead to a refusal on the part of the people to pay the taxes. These statements, whether they were well founded or otherwise, were highly important, coming, as they did, from such respectable persons, and they were in every respect well worthy of the serious consideration of their Lordships. Meetings for the same object as that for which the very important meeting to which he had been just alluding had been called, had been already held in Edinburgh, Glasgow, Liverpool, and other important commercial places throughout the country. He had not heard that meetings of an opposite character had been held in any part of the country. It was whispered, indeed, that a petition to their Lordships against Reform was in progress at the University of Cambridge; but their Lordships would know what degree of importance to attach to such a petition. In the course of the late elections, wherever the public voice had been heard, the people had declared in favour of Reform. Even in Dorsetshire, where the influence of a certain family was thought to be paramount, the people had triumphed. When the late vacancy for that county occurred, it was confidently said that a great reaction had taken place in the minds of the people there, and that an anti-reforming candidate was sure to walk over the course. What, he begged leave to ask, had been the result? The reforming candidate had been received with acclamation in every part of the county, and his anti-reforming opponent was no where to be found. He did not suppose that any great stress would be laid upon the exception which the city of Dublin furnished, as compared with other popular places, with regard to the measure of Reform. The character which the corporation of that city had hitherto maintained would take away from it any importance which it might be attempted to give to their opposition to Reform. The greatest anxiety prevailed in every quarter as to the determination to which their Lordships might come on the question of Reform, and the general question asked by every one out of doors was, "What will the Lords do?" For his part, he would say, that there could be no question at all, in his conception, as to the course which their Lordships would no doubt pursue with regard to this most important question. He was convinced, that if the measure should not be passed by them unanimously, that it would be carried by a very large majority of their Lordships, and his reasons for thinking so were these:—In the first place, he was quite certain that, animated by those patriotic feelings for which their Lordships had been always distinguished, their Lordships, if they should consider the measure as one that would be productive of advantage and benefit to the people of this country, would not allow their private interests to stand in the way of carrying it into a law. But it was a great mistake to suppose, that the private interests of their Lordships would be in any degree injuriously affected by this measure. It did undoubtedly happen, that a certain number of their Lordships possessed property in places that sent Members to the other House of Parliament; but he did not think that the circumstance of those places losing the right to return Members to Parliament would at all injure the property which those noble Peers possessed there. At all events, there were very few noble Lords in that House who held property in such places, and who could on that account feel inimical to the measure of Reform, and he believed that the great majority of their Lordships felt no interest in the continuance of the franchise to those places. He would not call the noble Lords who possessed such property "boroughmongers," as such a term would suppose the existence of a traffic in those boroughs, but he would call them "borough proprietors," and he should not be at all surprised that those borough proprietors should feel opposed to the measure of Reform, and that they should call for compensation for the boroughs which were to be disfranchised. They might perhaps imagine, that compensation should be now awarded in the instances of those boroughs, as had been the case at the period of the Irish Union, when a certain number of boroughs were put an end to in Ireland. He did not suppose, however, that their Lordships generally would be inclined to attach much weight to these matters, and he did not think it at all likely, that any questions relating to private interests of that sort would materially influence their Lordships in the consideration of the great and all-important question of Reform. That was a question, besides, which peculiarly belonged to the other House of Parliament. That House had thought fit to reform themselves. Why, therefore, he would ask, should their Lordships interfere under such circumstances? Why should they interfere with that which most peculiarly belonged to the other House of Parliament? He did not dispute their Lordships' perfect right and power to interfere in such a question. But there was such a thing as discretion, and in a case which so peculiarly belonged to the decision and determination of the other House of Parliament, their Lordships might think it wise and discreet not to interfere, but to allow the Bill which a vast majority of the other House had sent up to them on that subject, to pass without opposition. If their Lordships possessed any interest in, or control over, the proceedings in the other House, it could be only an interest of a most improper and unconstitutional description. Each branch of the Legislature should strictly confine itself to its own peculiar duties and privileges. In proportion as both Houses of Parliament took care not to deviate from the respective orbits in which they revolved, in the same proportion would they be respected and revered. But should their Lordships wander from their own peculiar sphere, and should they reject this Bill, which peculiarly concerned the Commons, and which had been sent up to them from that House, the shock might be such, that each of their respective orbs might fall into fragments, and become a splendid, it might be said, but at the same time a deplorable mass of ruins. He begged as the petition was an important one, that it might be read at length. The petition having been read, the noble Marquis presented a petition to the same effect from the city of Chester. In reference to the latter petition, the noble Marquis stated, that a petition unanimously adopted, and very numerously signed, had been presented last March, from the city of Chester, in favour of Reform, but that there were 400 or 500 more names to this petition, so anxious was the public in that part of the country for the success of the Reform Bill.

The Earl of *Eldon* said, that he had listened very attentively to what had fallen from the noble Marquis on this subject. The noble Marquis was pleased to say, that the Peers of Parliament had no interest in this question. [The Marquis of Westminster "No, no."] He (the Earl of Eldon) had listened with that attention which was due to the noble Marquis, and he most assuredly had heard those words fall from his lips. He heard the noble Marquis give advice to the Peers of the realm. He, therefore, would take the liberty to tender them some advice also. He had no doubt that their Lordships would do their duty. He would not presume at present to say what that duty was, but the time would come, when it must be reasoned before the people of England, what that duty was for their sakes. It was not for him at present to declare what the duty of their Lordships would be; but he had had the experience of a long life, and he should not have the least hesitation, when the question came under their consideration, to state his opinion as to the course which it would be the duty of their Lordships to pursue with regard to it. This he would say, that, so far from thinking that the Peers of England had no interest in this question, he was ready to maintain, that this country would have no Constitution left to it if the Peers of England had no interest in such a question as this. Nay, he would go further: bred, as he had been, in loyalty, living under the law, and revering the Constitution of his country, now that he had arrived at the age of four score years, he would solemnly declare, that he would rather die in his place, than not state that the proposition that the Peers of England had no interest in this question, was the most absurd one that had ever been uttered or propounded there or elsewhere. The noble Lord who had put forward that very absurd proposition, might have his own opinions as to the merits or demerits of the question of Reform. Upon that point he would then give no opinion; but he would say, that he hoped and believed, that when that question came to be discussed by their Lordships, they would do their duty fearlessly and manfully, and at the hazard of all the consequences. He reiterated the expression of his firm and confident hope, that when the question was before them, every noble Lord in that assembly would do his duty. He should be ashamed of himself, if it were possible for any noble Lord to suppose, that he should not be prepared to act upon his opinion, and to discharge his duty in reference to this question of Reform. He should be utterly ashamed of himself, if, at his time of life, he should give way to the imputation of being prevented by fear from doing his duty. It was far better for him to discharge that duty manfully, as he was determined to do, let the consequences be what they might. His conduct in reference to this Bill should not be influenced by any selfish considerations—far from it. He would discharge his duty with regard to it, because he believed that in it were involved, not only their Lordships' interests, but the interests of the Throne. If the Bill should pass, (and he would offer no opinion at present on its merits)—if the Bill should pass, and if the consequences should follow that might follow from it, then let those who had done their duty to that House, and to their King upon the Throne, console themselves at least, with the notion that they had done so. The noble Marquis and other noble Lords opposite might differ from him (Lord Eldon) as to this Bill, but as he had said already, he would offer no opinion with regard to its merits at present. It would be premature to do so until it came regularly under their consideration; upon that occasion they would find that he would not belie every act of his former life; upon that occasion it would be seen that he would discharge his duty fearlessly and manfully, and that, let the consequences be what they might, he would endeavour to do the best he could for the interests of the Peerage and of the Throne.

The Marquis of *Westminster* said, that the noble and learned Earl had quite mistaken what had fallen from him. He did not say that their Lordships had no interest in this Bill. What he said was, that it was a matter peculiarly relating to the other House of Parliament, and in which that House had a peculiar interest.

Petitions to lie on the Table.

PLURALITY OF BENEFICES.] The Archbishop of Canterbury moved the Order of the Day, that this Bill be read a third time.

Lord *Wynford* opposed the Bill, as being highly detrimental to the interests of the Church. He regretted that he was obliged to do so, but his opposition had already removed from the Bill the clause imposing forfeiture. The direct tendency of the Bill was, to make the parochial and inferior Clergy entirely dependent on the Lord Chancellor and the Archbishop for the time being. It would place in the hands of the Lord Chancellor, a political officer, the power of withholding the Writ of dispensation which was secured to noblemen's sons, noblemen's chaplains, and Masters and Bachelors of Arts, according to the principle of the Statute of Henry 8th.

The Archbishop of *Canterbury* had nothing to say in reply to the noble and learned Lord, as the objection had been previously stated and answered. He had only to move, that the Bill be read a third time.

The Earl of *Eldon* regretted that he was obliged to call their Lordships' attention to the fact, that during the discussion of such an important measure, the Lord Chancellor was absent from the Woolsack, without the plea of indisposition, and contrary to the Standing Order of their Lordships' House.

The Question put, and the Bill passed.

ABSENCE OF THE LORD CHANCELLOR.] The Marquis of Londonderry moved the reading of the Standing Order, No. 3, of their Lordships' House, respecting the attendance of the Lord Chancellor on the Woolsack, and his duty to that House in case of absence.

The Order read by the Clerk.

The Marquis of *Londonderry* said, that as the noble and learned Lord now absent from the Woolsack had, on every possible occasion, resorted to the Orders of their Lordships' House, for the purpose of levelling them at other noble Lords, and particularly at him, he begged to give notice, that he would to-morrow desire to know the cause of the noble and learned Lord's absence from his duty in that House—a line of conduct which went to compromise their Lordships' dignity, and to overturn the course of their proceedings. The noble and learned Lord was acting so much on principles of Reform, that he was about to reform or revolutionize their Lordships' privileges.

The Duke of *Richmond* rose to order. He would submit it to the noble Earl, whether it would not be at least decorous to advance nothing further on the subject until the noble and learned Lord were present to answer for himself.

The Marquis of *Londonderry* said, he considered it his duty to give notice to their Lordships of the violated order, that it might be either adhered to or changed.

The Marquis of *Lansdown* begged to know, whether the noble Earl (Earl Vane) had any reasons for his Motion, and whether it applied to the noble and learned Lord's conduct elsewhere. He wished also to learn whether the noble Earl meant to shape his inquiry as a motion or a question.

The Marquis of *Londonderry* said, that he had given notice of a question for to-morrow, to ascertain the reason why the noble and learned Lord was absent from his duty in that House. On bringing his question formally forward, he should then be guided by circumstances.

Lord *Plunkett* thought, that the appeal to the Standing Order of the House was calculated to throw an imputation on his noble and learned friend, which, in his opinion, the terms of that Order did not warrant. According to it, the noble and learned Lord's absence was not authorized, unless his place were filled by a person appointed by a Commission from the Crown. Now, such a person had been so appointed. The noble Earl had stated, that he would require an explanation, and he (Lord Plunkett) had no doubt but that his noble and learned friend would be prepared to answer for himself. For his own part, he thought the investigation quite uncalled for. It was notorious, that the absences of the Lord Chancellor had been unusually multiplied from his unremitting attention to the most arduous and responsible duties—duties intimately connected with the public good. There had been a great arrear of business in his Lordship's Court, to which he had found it necessary to devote his whole time and attention. By dint of extraordinary talent and indefatigable exertion, this arrear had been disposed of, and business expedited in a manner gratifying to the suitors in Chancery, and most salutary for the country. Thus much he had felt it incumbent upon him to observe on behalf of his noble and learned friend.

The Marquis of *Londonderry* was of opinion, that if the predecessors of the noble and learned Lord had deemed themselves justified in being absent from that House, they might have done the same things which had been attributed to the noble and learned Lord. But they felt that the Standing Order bound them to do their duty to that House in the first place. He thought the present Lord Chancellor had no more merit than his predecessors, who did their duty in that House, and did not absent themselves in so slighting a manner.

The Earl of *Eldon* said, that according to an experience of twenty-five years, and upon information derived from other Chancellors, as Lords Thurlow and Loughborough, the Standing Order was made, not to decide what was the duty of the Lord Chancellor, but in what case that House should put a person on the Woolsack. If the Lord Chancellor was absent, and no person appointed, then it was their duty to place some one in his stead. His Lordship was bound to be present there unless circumstances rendered it impossible (and he understood the Lord Chancellor was absent from indisposition). Under these circumstances, he was to signify the fact to the person appointed to preside in his stead by Letters Patent. He (Lord Eldon) could state, without fear of confutation, that three High Chancellors had never been absent without an explanation of the cause. No Chancellor ever dared to leave the Woolsack without permission of that House. He found, from their Lordships' Journals, that a Chancellor, in assigning a reason for his absence, had stated, that he was sent for by his Majesty, but the House voted that this was no sufficient reason, and that it was his paramount duty to be in attendance there. It was not because bankruptcy business was excellently disposed of below, and he did not doubt that such was the case, that this attendance could be dispensed with. A most important question affecting the lay property of the country had been before them that day, and unless he considered himself a greater Chancellor than Shaftesbury, he could not be content that this question should be set at rest in the absence of the officer in whom that House reposed its confidence. Nothing that had passed between the Lord Chancellor and him in that House, had been in the least offensive to him, but he felt that, unless their Lordships altered their usages, he could not but express his opinion that the noble and learned Lord ought to have been there.

The Duke of *Richmond*, in answer to his noble friend (the Earl of Eldon) begged to say, that he understood that the rule of attendance had been often departed from. The words of the Standing Order stated, that the Chancellor should attend in "ordinary." A few years back, a noble Lord had been appointed to relieve the Chancellor of the duty of hearing appeals. If such an appointment had been made for the morning, why not a similar license be given for the evening? Formerly a Lord Chancellor was not called upon to make an excuse for going to Windsor. He trusted that the discussion would not be prolonged.

The Earl of *Eldon* said, that when Chancellors were absent on former occasions, it was by the order of that House. He was of opinion that these orders did infinite mischief to the suitors in the Court of Chancery; but, whether for good or ill, it was necessary to abide by them.

The Marquis of *Lansdown* was prepared to contend, both now and to-morrow, that the Lord Chancellor's absence involved no breach of the Standing Order of that House.

The Marquis of *Londonderry* said, that the noble and learned Lord was so severe himself on others, that he was determined to persevere in putting his question.

The Earl of *Mulgrave* rose to order. Notice having been given for to-morrow, it was disorderly to press the matter further at present.

Here the conversation dropped.

* * *

HOUSE OF COMMONS,

Monday, September 26, 1831.

Minutes.] New Writs moved for. On the Motion of Mr. Ellice, for Higham Ferrers in the room of Charles Pepys, Esq., who had accepted the Chiltern Hundreds; for Poole, in the room of Mr. W. F. S. Ponsonby, who had accepted the Chiltern Hundreds.

Bills. Committed; Churches Building Act Amendment. Read a second time; Registration of Deeds. Read a first time; Whiteboy Acts Amendment; Registry of Arms revival.

Returns ordered. On the Motion of Mr. O'Connell, of the number of Common Glass Bottles manufactured in Ireland during the year 1830.

Petitions presented. By Mr. Hodgson, from Newcastle-upon-Tyne, against the Tax on Marine Insurances. By Mr. O'Connell, from Drayton, praying for an investigation into the Case of the Deacles, three from places in Longford, for a Repeal of the Union. By Mr. Strickland, from the Chairman of the Political Union at Halifax, for Vote by Ballot.

Poor Laws (Ireland). Petition.] Mr. *O'Connell* presented a Petition from the Eastern Branch of the National Union, praying for the introduction of Poor-laws into Ireland. He was afraid that it would at last be found necessary to introduce such a system into that country; but at the same time he felt, that after the example of the English Poor-laws, which were found to be so pregnant with evils as to induce many persons to believe it would be better to abolish them altogether, it behoved them to be exceedingly cautious what steps they took with respect to the introduction of Poor-laws into Ireland.

Mr. *Hunt* said, that it was not the Poor-laws of England, but the abuse of them, that was reprehensible. He defied any one to point out any clause in the English Poor-laws that was not just, equitable, and humane.

Mr. *Wrightson* thought, that the introduction of Poor-laws into Ireland would only be alleviating one class of persons by the ruin of another. Every shilling that would be applied to the relief of the poor, must be taken from productive labour.

Mr. *John Weyland* said, Poor-laws were necessary for Ireland, because so much of the capital of that country was taken away by absentees, that the labourers of the country were left without employment, and had, therefore, a right to look for support in some other way. As to the Poor-laws in England, for 200 years after their introduction, nothing but unmixed good resulted from their operation. It was the artificial state of society subsequently introduced which caused their abuse—the law of settlement had laid the foundation for this latter state of things.

Mr. *George Robinson* said, that it was impossible to expect that able-bodied men would remain quiet and tranquil without employment; and he thought that Poor-laws were the only remedy for Ireland.

Mr. *Daniel Whittle Harvey* regarded the Poor-laws as an institution more beneficial to those who paid, than to those who received the rates. The Poor-laws had their origin in the laws of nature; and when a man could not maintain himself by industry, he had a right to be supported by the country. He hoped that Church property would soon be made applicable to the purest of all Christian purposes—the support of the poor.

Sir *Robert Bateson* said, that the introduction of Poor-laws into Ireland would render that country doubly wretched and doubly miserable. He would rather take an example, as to Poor-laws, from Scotland than from England, for in the former country they worked well, and in the latter country confessedly ill. At the same time, he very much wished to see a legal support established for the aged and infirm who were unable to support themselves.

Sir *Charles Burrell* did not think objections founded on the abuses which had grown up in the English system of Poor-laws, held good against the introduction of some such system into Ireland upon an improved plan. Much of the evil of the

English system arose from giving the married labourer an allowance out of the Poor-rates, which was denied to the single man. This led to premature marriages, and a redundant population.

Mr. *Wilks* would apply the original Statute of Elizabeth to Ireland—that which secured a provision for the aged and infirm; but thought the system at present in force in this country would be fatal to the improvement of the sister country. It would require the greatest care in adapting any Poor-laws to Ireland.

Lord *Ingestrie* thought, that the question of the introduction of Poor-laws into Ireland ought to receive immediate attention from the Legislature—the state of the poor in that country was such as to require immediate relief.

Colonel *Torrens* could not say, that he viewed the proposition for Poor-laws in Ireland with a favourable eye. The advocates for introducing Poor-laws into that country, were bound to show that they would effect that condition without which there was no bettering the state of the poor in any country—namely, either increase the amount of food raised in that country, or lessen the number of consumers. If Poor-laws would add to the produce relatively or directly, or lessen the number of mouths to consume that produce directly or relatively, he would support their being introduced into Ireland.

Mr. *Hodges* agreed with hon. Members, that if the English system, with all its abuses, were at once adopted in Ireland, much mischief would ensue. At the same time, that was no objection to the establishment of a less vicious system of parochial relief in that country, which he thought was the only feasible means of taxing the absentees.

Sir *John Newport* was as anxious as any man to see some species of relief for the aged and sick, but he must protest against that description of relief which, in England, was given to the able-bodied and young. The question of the Poor-laws being extended to Ireland, was a very important one, and would require deep consideration. He had sat many years in that House, and did not recollect a single Session in which complaints against the abuse of the English Poor-laws were not made. He should hesitate a long time before he gave an unqualified support to the introduction of the Poor-laws in Ireland as they existed in this country, but he was anxious to see the infirm, and sick, and aged, who had no means of subsistence, provided for. He condemned holding out hopes to Ireland on the subject of the Poor-laws until some system was proposed to that House.

Sir *John Brydges* thought, the only way of giving effectual relief to Ireland was by a proper, well-modified system of Poor-laws. The member for Colchester was so determined to pull down the Church, that he omitted no opportunity of introducing the subject. That hon. Member, and the member for Kerry, proposed that one-third of the Church property in Ireland should be applied to the use of the poor. He trusted the Government would not listen to any such proposition. If the Church of Ireland was despoiled of her property, that of the English Church would not long remain in security. The present Bishop of Derry, in an address to the clergy of the diocese over which he lately presided, spoke in the highest terms of the services rendered to Ireland by the Established Church and its clergy. He said, "I speak not of professional partiality, when I claim for my brethren of the Church the approbation of every man in the community of common discernment. I have lived long enough amongst them to know their worth. I have seen their privations the most unjust, their unbounded generosity—under perils the most formidable, their unshaken fortitude — under difficulties the most perplexing, the most devoted attachment to the interests of their poorer fellow-creatures—and I can fearlessly assert that, in the absence of the great landed proprietors, the undisturbed maintenance of their properties has been mainly attributable to their residence and influence. If the wisdom of the Legislature should be appealed to, I do most conscientiously believe, that it could not be more beneficially displayed than by ensuring the security of those upon whose exertions the best interests of society so greatly depend." This was the Church which the member for Kerry was endeavouring to undermine.

Mr. *O'Connell* said, there was no greater friend to the Established Church of Ireland than he was. It was only to her temporalities, not to her doctrines, that he objected. Ireland was in a very different situation from any other country in Europe. The greater part of the produce of the soil was exported to pay the rent of the absentee landlords, and until some means were devised to abate this drain, Ireland must necessarily remain poor. With respect to the English system, no other hon. Member had joined with the hon. member for Preston in his unqualified eulogium on the English system of Poor-laws.

Sir *John Brydges* said, the member for Kerry, upon a former occasion, when he was asked whether he would take away one-third of the Church property of Ireland, answered, " Certainly."

Mr. *O'Connell* said, he was a greater friend to the Church than the hon. Baronet, for he opposed and wished to remedy the abuses of it.

Mr. Hunt rose, but was called to order by the Speaker, the hon. Member having spoken before on the petition.

Mr. *Hunt* said, there were many hon. Members who spoke twice [*cries of " Chair, Chair."*]

The *Speaker:* If other hon. Members had done what was disorderly, that was no reason why the hon. Member should increase the disorder.

Petition to be printed.

YEOMANRY (IRELAND).] Mr. O'Connell presented a Petition from Belfast, in Ireland, praying inquiry into the conduct of the Yeomanry of Ireland, particularly with reference to the Newtownbarry affair.

Sir *Robert Bateson*, as one well acquainted with the north of Ireland, could take upon him to say, that the Yeomanry force was held in particular esteem throughout the province of Ulster. To that force the inhabitants of the north of Ireland looked invariably for protection, and so strong was the feeling of disgust at the proposition of the Ministers to disarm it, that they felt themselves compelled to abstain from their purpose, and, he trusted, altogether to abandon it. One fact was decisive as to the popularity and utility of the Yeomanry force in the north of Ireland—that a much less regular military establishment was required there than in any other part of Ireland. He hoped that the Government would never basely abandon the Yeomanry, who were the defenders of the laws, the liberties, and the Constitution of the country.

Mr. *Ruthven* put it to the House, whether it was fair that the Government should be charged with deserting the Yeomanry, and with throwing itself into the hands of the opposite party, because it had determined to modify the regulations under which a body so vexatious to the people of Ireland had been embodied. It was very hard that whenever the Yeomanry were named in that House, the House should be immediately occupied with a debate in their defence. Why was this necessary, if their merits were so universally acknowledged? He concluded by bearing his testimony to the responsibility of the petitioners.

Lord *Acheson* did not feel it necessary to enter into any discussion concerning the comparative merits of the north and south of Ireland. In allusion to the statement of the hon. member for Derry, he must confirm the favourable opinion generally entertained of the Yeomanry in the north of Ireland, and must, moreover, declare himself decidedly opposed to disbanding that force. He stated, that if called upon now to form a force for the maintenance of peace in Ireland, he should hesitate as to the propriety of establishing such a force as the Yeomanry; but he felt that there was much difference between this line of conduct, and removing a force which had already existed for a length of time. As to the arming the Yeomanry last year, the hon. and learned member for Kerry could explain the cause of that proceeding. For his own part, he was so anxious to preserve the quiet and tranquillity which at present existed in the north of Ireland, that he could look upon it as no better than madness to do that which would disturb this state of things, and would not tend to render the south of Ireland at all more quiet than at present. As to the unfortunate affair at Newtownbarry, no man regretted it more than he did; at the same time, he saw no reason for punishing the whole Yeomanry corps for the faults of a part (even if the statements against the Newtownbarry corps should, upon examination, prove to be correct). The Yeomanry of the county of Armagh, which he represented, were 2,000, he believed, in number, and he could not consent to see them disembodied: there could not exist a finer corps, and he for his part thought, that such a line of proceeding would, under existing circumstances, be highly injudicious.

Mr. *Crampton* assured the House, that the government of Ireland would not be induced by any representations to continue the Yeomanry one moment longer, or to discontinue them one moment sooner, than the interests of the country required.

Mr. *O'Connell* denied the superiority of the north of Ireland over the south, and said, that the reason why so many more troops had for years past been quartered in the south than in the north, was the facilities which existed in the south for their embarkation for foreign service. If the government of Ireland had come to the determination not to continue the Yeomanry one moment longer than the interests of the country required, it would disband them immediately. He hoped, that if the Government persisted in keeping them enrolled, it would not be for their shooting the people at Newtownbarry this year, as the police had shot them at Monaghan last year.

Petition to be printed.

NEW WRIT FOR PEMBROKE.] Mr. *George Robinson* rose, in pursuance of the terms of his notice, to move that the issue of a Writ for the election of a Knight of the Shire for the county of Pembroke, be suspended for one week. He had, on Friday, when an hon. Member moved, at two o'clock in the morning, that this Writ be issued, taken the liberty of opposing the motion; and his reason for that opposition was, the report made by the Pembroke Election Committee. That report acquainted the House, that the Committee had come to the following resolutions—"1st. That the conduct pursued by the High Sheriff, and by those under him, was strongly marked by a culpable neglect on his part, partiality on the part of the Under Sheriff, and some of the Sub-sheriffs, and the inefficient conduct of the Assessor; and 2ndly, that the Committee considered it to be their duty to report in such terms, more especially as they founded their decision that the election was void, on the strong impression of such improper conduct having prevailed." The present was not the time for him to animadvert upon the culpable neglect of the High Sheriff, or upon the partiality of the Under Sheriff, but he thought that the present was the time for him to move that the Writ should not be sent down to the same parties to execute, until, by the printing of the evidence taken before the Committee, the extent of their misconduct was ascertained. He knew that it might be said, that the freeholders of Pembrokeshire ought not to be punished for the misconduct of their High Sheriff; but to that he would reply, that it was for the interest of those freeholders themselves that the Writ should not be placed in the hands of those who might not execute it fairly. He thought that it would be for the interest of all parties, that some explanation should be given by the parties accused of misconduct. For these reasons, he thought it fair to call upon the House to sanction the following resolution:—viz. "That the Writ for the Election of a Knight of the Shire for the County of Pembroke, be not issued before Monday, the 3rd day of October next."

Mr. *Jones* said, that it was unprecedented that a Writ should be suspended, either for the neglect of a High Sheriff, or for the partiality of an Under Sheriff. At the same time, as both these parties might have something to offer in their defence, he would not oppose the motion for suspending the issue of a Writ for one week.

Lord *Althorp* said, that it would be most extraordinary, if, because the High Sheriff of Pembrokeshire had misconducted himself, the freeholders of that county were to be deprived of their right of Representation. There was no precedent for such a motion, and he was not surprised at it, as it was contrary to every principle of justice. He should certainly oppose the Motion.

Mr. *Chichester* felt bound to declare, that the High Sheriff of Pembrokeshire, served the office under very peculiar circumstances, in consequence of the decease of the gentleman previously nominated. At the time of his receiving the appointment, he was seriously unwell, and in a very nervous state; the irregularities at the recent election were a consequence of that indisposition, for he was quite sure he would have been wholly impartial had he been able to superintend the election in person.

Mr. *Robert Gordon* thought that, in justice to the freeholders, the Writ ought to be suspended. At the last election, 400 persons, who claimed the right of voting, were refused, and the returning officer would not even examine their cases until the election was over. What security, therefore, was there, if the Writ were sent to the same Sheriff, that the same conduct would not be again pursued?

Mr. *Horatio Ross* said, there was not a shadow of imputation against the electors of Pembrokeshire, and he was, therefore, at a loss to know why they should be deprived of a Representative. The conduct of the High Sheriff might have been partial, but injustice should not, therefore, be committed against the electors.

Mr. *Hodges* said, he knew, on the authority of a letter from Pembrokeshire, that the High Sheriff was a man of great honour; but, from ill-health, he was unable to attend, and the management of the election wholly devolved on his deputy.

Mr. *Hunt* said, that the High Sheriff should be suspended, and not the Writ for a new election.

Mr. *Robert Ferguson*, expressed a wish to have the evidence printed, and in the hands of the House, before any further step was taken in a case of this importance; but, after what occurred in the Committee, of which he was a member, he would not vote for the suspension of the Writ.

Mr. *Bernal* contended, that as yet the House had no evidence sufficient to justify the suspension of the Writ; because, from all he heard, it was only owing to ill-health that the High Sheriff was not able to attend his duty. The High Sheriff was labouring under a severe fit of the gout, and was obliged to leave the management of the election to his deputies. As to moving the Crown to supersede the Sheriff, he believed there was no good or modern precedent for any such proceeding.

Mr. *O'Connell* said, he knew of many instances in Ireland where Sheriffs had been superseded. At all events, it was necessary to have evidence before they decided in a case of this importance.

Mr. *Dominick Browne* had also been a member of the Committee, and not one word had been there said relating to the supposed illness of the High Sheriff. He wished that the issue of the Writ should be suspended until the evidence was before the House. If, after that, a motion was made to supersede the Sheriff, he should feel himself called upon to vote for it.

The *Attorney General* was not aware of any power existing to supersede the Sheriff, nor by what process it could be effected. A different principle might prevail in Ireland, but, in this country, he was not aware that such a power existed. He did not think the Writ should be suspended, merely for the neglect of the High Sheriff, for he was only accused of neglect. After what had passed in that House, he felt confident that partiality would be avoided at the next election.

Sir *Charles Wetherell* was glad to hear the opinions which had fallen from the Attorney General, as they were so opposed to those which were addressed to that House the other evening by the Solicitor General for Ireland. Sheriffs were appointed during the pleasure of the Crown, and certainly liable to be removed, if found guilty of any crime; but no such proofs had been offered in this case; and there was no example of the removal of a Sheriff, since the Revolution. At present, he could not give any distinct opinion, because, as yet, the evidence taken in the Committee was not before the House.

Mr. *John Campbell* said, that no grounds had been stated for the suspension of the Writ, and, therefore, he could not support the motion of the hon. Member.

Sir *Robert Price* intended, under all the circumstances, to vote against the suspension of the Writ.

Mr. *Nowell* believed, it was the general impression in the Committee, that the High Sheriff, although not a man of infirm mind, was incapacitated from attending at the election by illness. Great partiality had been certainly shewn, but he believed that the proceedings of that House on the subject had been such as to ensure impartiality if another election was now to take place; he should, therefore, vote for the issuing of the Writ.

Sir *Richard Musgrave* said, he had been also a member of the Committee. He was not aware that any charges of bribery had been made, but there were charges of creating freeholders, and putting vexatious questions, which, along with other conduct of the Under Sheriff and Assessors, led to serious injustice.

Mr. *Robinson* made no charge against the High Sheriff, who was admitted to be an honourable man. He made no charge against the electors, but his object was, to secure a free election. He wished to avoid tumult and disorder, which could not take place if a new Sheriff were appointed. Under all the circumstances of the case, he felt it his duty to persevere in his Motion.

The House then divided—Ayes 24; Noes 120—Majority 96.

The Speaker then put the question, " that a new Writ do now issue for the county of Pembroke, in the room of Sir John Owen, whose election had been declared void."—Agreed to.

LUNATICS BILL.] Mr. *Robert Gordon* moved the Order of the Day for considering the Lords' Amendments to this Bill. The hon. Member took that opportunity of expressing his objection to several of the amendments, particularly that of requiring that the reports of the Commissioners under the Bill should be made to the Lord Chancellor, instead of the Home-Secretary as heretofore, and all that part of the Bill which directed copies of these reports to be laid on the Table of that House had been struck out. Now, as they were to be called upon to provide for the surplus expenditure of some of those houses, it was but right they should have some account of the condition of those establishments before them. He would not press his opinions further, unless he saw it was the wish of the House; at present, he would merely move, that the amendments be read a second time.

The *Attorney General* said, that his hon. friend deserved great praise for his attention to the subject. With respect to the transfer of the guardianship of lunatics to the Lord Chancellor, he was sure the House must know, he was by our laws the admitted guardian of that unfortunate class of persons. He believed the alterations in the Bill were made in a sound and discreet spirit, and ought to be willingly adopted by the House.

Sir *Robert Peel* said, that the control of these matters had been originally transferred to the Home-Secretary's Office, at the request and for the convenience of the Lord Chancellor, who thought that a better arrangement. While he was in office he found no difficulties arise from that arrangement, and he saw no reason why it should again be altered.

The *Solicitor General* was of opinion, that the jurisdiction should more properly be in the Great Seal, where the control of all matters relating to these unhappy persons was placed.

Lord *Granville Somerset* said, that as he had for three years been one of the Commissioners who had been fortunate enough to be considered as having worked this Commission well, from his experience he felt himself entitled to say, that the control of the Commissioners was better placed in the hands of the Secretary of State than in the Lord Chancellor. He meant nothing disrespectful to Lord Chancellor Brougham, but he was convinced that he could not give sufficient attention to these subjects while his time was so much employed upon others. The consequence of this would be, that the Commissioners would be under the control of the Lord Chancellor's Secretary, which he thought no Gentleman would submit to—he certainly would not for one. He also objected to the appointment of legal and medical men on the Commission, and should oppose the adoption of the amendments.

Mr. *Hume* was of opinion, that the Lord Chancellor did not take cognizance of the cases of lunatics in one out of twenty. The jurisdiction of the Lord Chancellor had hitherto been confined to lunatics possessing property, and he did not think this was a time to add to his duties. The superintendence of these unhappy persons was properly a measure of police, and ought to be placed in the hands of the Secretary of State for the Home Department. The clause preventing the House of Commons from knowing how its own money was spent was one which he could never agree to. He was satisfied that the alterations in the Bill would render it inoperative, and he should vote against the amendments.

Mr. *George Lamb* said, it was probable that some of the remarks made by the Commissioners would not be fit to be laid before the public. The only real objection he could see, was that mentioned by his hon. friend, the member for Middlesex, by which the House was prevented examining into the manner the public money was to be disposed of. If this was really to be the case, he should hold the objection fatal, but he apprehended they could, whenever it was necessary, have the accounts of the expenditure laid before them.

Two of the Amendments proposed by the Lords agreed to upon the Amendment transferring the control of lunatics from the Secretary of State for the Home Department to the Lord Chancellor being moved,

Sir *Charles Wetherell* said, he feared, if the execution of the Bill was to be committed to the Lord Chancellor much of its beneficial effect would be lost. He had no hesitation in saying, that the appointment of the Commissioners should rest with the Secretary of State, with whom at all times they could have free communication, which it was impossible they could have with the Lord Chancellor. There was great danger that the legal and, not legal Commissioners might disagree, and as the Commission had hitherto worked well, he hoped the Bill would be restored to the state in which it originally stood.

The House divided on the question, that the Amendment be agreed to:—Ayes 55; Noes 66—Majority 11.

The other Amendments were agreed to: a Committee appointed to draw up reasons for disagreeing with their Lordships' Amendment.

SUPPLY—FALSE SIGNATURES TO PETITIONS.] On the Order of the Day being read for the House resolving itself into a Committee to consider further of a Supply to be granted to his Majesty,

Mr. *Henry Grattan* said, that before the House went into Committee, he wished to make a statement which appeared to him to concern their privileges. Some time since a petition had been presented to that House against the grant to Maynooth College, certain signatures to which were alleged to be false. He had been written to from Dublin on the subject; and the writer stated, that he could find no such persons in the list of traders, bankers, barristers, or solicitors, as George and Thomas Howell, whose names were affixed to the petition. Application had been made by the writer to Mr. Thomas Magee, who stated, that so far from having any thing to do with the petition, he had actually refused to sign it. The petition had been presented by the hon. member for Oxford, who stated, that he had received it from some clergyman, who resided near Kingstown. It was very desirable that the hon. Member should communicate with the individual who sent the petition, and that he should state the result to the House. He could not say that this was a breach of their privileges, because there might be in existence a George and Thomas Howell, although they were not the persons meant to be indicated by the petition.

Sir *Robert Inglis* said, he had received the petition by post. He had no reason to doubt at the time the truth and accuracy of the signatures; but he would not make himself responsible for them.

Mr. *Hume* observed, that such practices ought to be checked. The hon. Baronet ought to take steps to have the parties summoned who had attempted to impose upon the House.

Mr. *O'Connell* said, he was acquainted with George Howell and Thomas Howell, one of whom resided here, and the other in Ireland. He did not think the signature of George Howell bore much resemblance to his hand-writing. The character of Mr. Magee ought not to be left in this manner before the House.

Sir *Robert Inglis*, in explanation, said, it must not be presumed, that, because he had presented the petition, he concurred in the sentiments expressed in it. He had before stated, that he was unacquainted with the parties who had transmitted the petition to him.

The Order of the Day read.

On the question that the Speaker should now leave the Chair,

SUPPLY—MAYNOOTH COLLEGE.] Mr. *Perceval* rose to state, before going into a Committee, his objection to the vote that was to be proposed. Although it was his wish that the vote for Maynooth College should be entirely done away, he was precluded from taking any step in a Committee for that object, except by putting a direct negative upon the grant. As so much of the year, however, had passed away, and as the faith of Government had been pledged, he was not disposed to propose that the grant should be now refused, and he would, therefore, propose a resolution for the future. He would try to state, as simply and shortly as he could, his ground of opposition. The principle he rested upon was this. That a State stood before God as an individual; with the same dependence upon him for all blessings, and the same obligation to obey him. He did not feel himself called upon in that place to establish this principle; it was recognised throughout our Constitution; from the coronation of our King, in which the House lately took part, down to the prayers daily read at the Table of that House, this dependence and this obligation were acknowledged. It was his birthright as a British subject, to call himself the Member of a Christian State, to address this House as a Christian

Legislature, and to call upon them to act consistently and faithfully in that character. As Protestant Christians, therefore, it was inconsistent and unfaithful in them to be voting annually a grant for the purpose of educating men to teach religious doctrines which they held to be a system of falsehood, and a corruption of the word of God. If any Protestant Member objected to such terms, and held that the Papal system was not such as he had described it, let him rise in his place, and plainly and manfully say so; but at the same time he (Mr. Perceval) hoped he would state why he called himself a Protestant, and how he justified his separation from the Church of Rome. He knew it might be urged, that, what he asserted respecting the essentially Protestant spirit of our Constitution, however true it might have been formerly, was so no longer, and that by passing the Catholic Relief Bill, the Legislature had given up its Protestant character. He knew this sentiment to be held by many of his own friends, and he had heard it argued by others who were in favour of the liberal principles of the day. He would not argue this point abstractedly, he would not enter into the consideration whether, according to true and legitimate reasoning, such was the consequence of that act, but he was there to contend, that if this were really the case, it was not with their eyes open to such a conclusion that they passed the Act. The most illustrious advocates of that measure always contended, that if they thought it would lead to the destruction of our Protestant establishment, and of the exclusively Protestant character of our Constitution, they would never support it. It was not with that *animus* the Government brought in the measure, for his right hon. friend (Sir Robert Peel) had given, as his reason for rejecting the payment of the Roman Catholic clergy, which had been proposed as a security for their loyalty, that the Government would do nothing that looked like uniting the State in any way with the Papacy. This, therefore, was the view of the friends and proposers of the measure, and that it was with this *animus* the Legislature had passed the measure, he would clearly prove, from the nature of the oath provided for the Roman Catholic Members of that House. This oath distinctly stated, that the Roman Catholics were admitted by a Protestant Parliament to seats in a Protestant Legislature, on condition of their coming under Protestant obligations. The words were these:—"I do sincerely promise and swear, that I will be faithful, and bear true allegiance to his Majesty the King, and will defend him, to the utmost of my power, against all conspiracies and attempts whatever, which shall be made against his person, crown, or dignity; and I will do my utmost endeavour to disclose and make known to his Majesty, his heirs or successors, all treasons and traitorous conspiracies which may be formed against him or them. And I do faithfully promise to maintain, support, and defend to the utmost of my power, the succession of the Crown, which succession, by an Act intituled 'An Act for the limitation of the Crown, and better securing the rights and liberties of the subject,' is, and stands limited to the Princess Sophia, Electress of Hanover, and the heirs of her body, being Protestants." That was the first Protestant engagement to the Protestant Constitution, that the Roman Catholic coming into that House was bound to observe. The Catholic continued:—"Hereby utterly renouncing and abjuring any obedience or allegiance unto any other person claiming, or pretending a right to, the Crown of these realms: and I do further declare, that it is not an article of my faith, and that I do renounce, reject, and abjure, the opinion that princes excommunicated or deprived by the Pope, or any other authority of the See of Rome, may be deposed or murdered by their subjects, or by any person whatsoever." In that part, again, the Roman Catholic came under an engagement to satisfy the fears and doubts of a Protestant State, and a Protestant Legislature. And here was an additional statement:—"And I do declare, that I do not believe that the Pope of Rome, or any other foreign prince, prelate, person, state, or potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within these realms." Again, then, the Roman Catholic entered into a third engagement to satisfy the doubts of the Protestant Legislature. "I do swear," the Catholic also said, "that I will defend to the utmost of my power, the settlement of property within this realm, as established by the laws; and I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment, as settled by law within this realm." But mark how the oath continues—" And I do solemnly swear, that I never will exercise any privilege to which I am, or may become entitled, to disturb or weaken the Protestant religion, or Protestant government in the United Kingdom; and I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever, so help me God." He repeated, this oath clearly proved that it was not with the intention of abrogating its Protestant character that the Legislature passed the Relief Bill, but that, in the character of a Protestant Legislature, they admitted the Catholic to a seat in Parliament, if he chose to come in under Protestant conditions. He must, therefore, object to the grant as a matter of conscience, and of duty towards God. Infidelity, he feared, was on the increase. He believed, that the doctrine of holding the scale equal between God and Satan on all occasions, was gaining ground in that House. He was as certain of this as of any thing—that liberalism in religion was infidelity at bottom; that they both came from the same root, and led to the same consequences; and he lamented to see in that House a disposition regardless of encouraging the latter, if the former were attained. He would observe, that for those who did not see the matter as he did, he thought there was another ground for their voting with him, which was, that the Government, professing to deal equal justice between Catholic and Protestant, had withdrawn the Kildare-street grant while they continued this. Even upon their own principle this grant also ought to be withdrawn, as he was convinced they would have great difficulty in persuading the Irish Protestants that they were dealing impartially with them, when they stopped the one and continued the other. He would not meet the vote by a direct negative in the Committee, because he thought Parliament stood pledged to individuals, and if hereafter a just and equitable claim could be made out for any sum, he should have the greatest readiness to consider the claims of individuals. What he desired was, to separate the State from the College of Maynooth. The hon. Member concluded by moving as an amendment that, " It is the opinion of this House, that it is not expedient to continue the annual grant to the College of Maynooth after the present year."

Mr. *Granville Ryder* said, I rise, with the utmost satisfaction to second the Resolution which has been moved by my hon. friend and Colleague. I object to this grant to Maynooth College on several grounds. First because I am opposed, on principle to a professedly Protestant Government supplying funds to educate religious instructors for the people in doctrines which that Government is bound to consider as fraught with dangerous error. Secondly, because this grant stands as a complete anomaly in our parliamentary bounty, being, so far as I can discover, the only instance in which public money is bestowed for such a purpose as the maintenance of a purely theological seminary, and I have yet to learn upon what sound principles of Protestant legislation the Roman Catholic faith, in preference to every other religious persuasion dissenting from the Established Church, is entitled to have its ministers educated at the expense of the State. I object to this vote, thirdly, because from all the information which I can collect—and I am told that many Roman Catholic gentlemen concur with me in the opinion—the object for which this College was established has been completely frustrated; I mean the educating of a priesthood which should be more liberal, tolerant, enlightened, and loyal than that which was trained abroad in former times. I must oppose this grant, fourthly, because his Majesty's Ministers, having proclaimed their hostility to all exclusive educational grants, and having pushed this principle to an extreme in the case of the Kildare-place Society (which assuredly little merits the character of exclusiveness), the vote now under our consideration cannot even be defended upon their own grounds. I do not hesitate to avow that I desire with all my heart and soul, Protestant ascendancy, not indeed in that invidious, degrading, and merely political sense, as a shibboleth of party, and a rallying-point for jealous, vindictive, and domineering passions—a sense which, I lament to say, has been but too frequently affixed to the term—but in that far higher, purer, and juster acceptation, in which I should ever wish to see it applied; I mean, the ascendancy of Protestant religious principles, as drawn direct and unadulterated out of the only fountain of Heavenly truth, the Bible, over the hearts, and minds, and lives of all my countrymen. Being deeply convinced that the points on which we, as Protestants, differ from the Church of Rome, are of the utmost moment as well to the temporal as to the eternal interests of men, I deem it to be my bounden duty, both towards God and man, to resist whatever may obstruct, no less than to uphold whatever may promote, the growth and confirmation of such a Protestant ascendancy. With these views and feelings I cordially second the Resolution of my hon. friend and colleague.

Mr. *Stanley* observed, that it was impossible to treat with levity a subject of such importance as that which had been introduced by the hon. Member, and introduced by him in so solemn a manner. It was difficult, however, to grapple with the hon. Member on a question which he had not put upon the footing of reason or argument, but upon a sense of conscience and duty towards God. But he could not look at the question as a religious but only as a political question. If by consenting to this grant he could imagine that he promoted the ascendancy of the Roman Catholic religion, or impaired the interests of the Protestant faith, he would vote for the motion of the hon. Member, and acknowledge it was not consistent with the duty of that House to sanction this vote. But that was not the light in which he could consent to look at the grant, which had been voted for years past, and by greater men than now advocated it in that House. It was in no way connected with the Catholic Question, nor had ever been considered to be so. So long ago as 1795 the Legislature had sanctioned this grant, not as a mere religious grant, but on political grounds solely. It was thought by the Government of that day—a Government, by the way, of which Mr. Pitt was at the head, that there was some danger in allowing those destined for the Ministry of the Roman Catholic Church in Ireland to receive their education in a country where such opinions prevailed as were then known to exist in France, and as a measure of political caution it was judged advisable, that the public funds of the country should be charged with the education of the priests of Ireland at home, rather than run the risk of importing dangerous political opinions, which would become tenfold more dangerous if they fastened on the minds of those through whom the moral and religious instruction of the great mass of the people were to be engaged. A sum of money was therefore voted for defraying a part, not the whole, of the expenses of the College of Maynooth, whither the Roman Catholic youth destined for the priesthood were sent, and the whole establishment was placed under the inspection of visitors, the majority of whom were Protestants. By this means a check and control on the system pursued there was obtained, which the Government could not pretend to assume, unless it bore a considerable share in the expenditure. From that time to the present, the grant had been continued, though not always to the same amount, for a few years ago, it was found that a sum of little more than 9,000*l.* a-year would be sufficient, instead of 13,000*l.* as given before. Now, if it were only on the score of authority, the House ought not to condemn, as unworthy of a Christian Legislature, a grant which had been introduced by Mr. Pitt, which had had the full concurrence of Mr. Fox, and which had been supported by all the weight of the authority of Mr. Grattan. These were the three great names under the authority of which the grant was first introduced in 1795, and it had been continued by every succeeding Government, not excepting that of which the hon. Member formed a part, and not on religious, but on political grounds. Nor was the grant without special grounds of justification. During the last war, Buonaparte offered an education to the Irish Catholics in France; but this was rejected by the Roman Catholic priests, who forbade their youth to exchange the education they obtained at Maynooth for the better education they could have got at Paris; and therefore, on a principle of gratitude, we owed something to the Roman Catholic Clergy. Now let him ask the hon. Member, what would he gain on the supposition that he were to succeed in persuading the House to reject this grant? Would it have the effect of diminishing Roman Catholic education, or increasing that of the Protestants, in Ireland? Did the hon. Member think, that at the end of a year, if this grant were withheld, there would be one Roman Catholic less in Ireland, or one Protestant more? Most certainly there would not. The amount of the grant he did not consider of so much importance, for very little exertion amongst the Roman Catholics themselves would raise a fund much greater than this. It was the principle to which he looked. It was to the policy or impolicy of granting or withholding it. Supposing, for an instant, there was some danger in acceding to the grant, there was, he would contend, tenfold more danger in refusing it, and danger, too, of the most serious kind to the interests of the Protestant religion itself. For the sake of that religion, therefore, he thought the House was bound to support the grant, for, knowing the state of feeling in Ireland on this subject, he did not hesitate to state, that the Protestant religion in that country would be placed in imminent danger by the rejection of this grant. It would alienate the minds of the Catholics greatly from the Government in that country; and not without some good foundation in reason, for the establishment was given by Government on the understanding that it would be permanent. The withdrawing of the grant now would be considered, therefore, a breach of faith on the part of Government. He would ask the hon. Member, did he object to Roman Catholic education under any circumstances, or did he object to that system of education which was adopted at Maynooth? If he objected to the education of the Roman Catholics in their own faith, was he prepared to go the length of stating that millions of people should be without any religious instruction whatever? Was he prepared to say, that the Catholics of Ireland were likely to be better men, or better subjects, by being without religious instruction of any kind? Or did he mean to contend, that it was better to be without any religious instruction, than to receive that of their own communion? He presumed that no man would venture upon the assertion of a principle so monstrously absurd as this. On what ground, then, did he object? Did he object to the particular system taught at Maynooth? If so, he must say, that that system was not objected to by the Protestant visitors of that establishment. When he said this, he did not mean, of course, that the visitors preferred that to a Protestant system of instruction: all he meant was, that there was nothing objectionable in it on political grounds. The Commissioners of Education also bore testimony to the advantages of the system pursued at Maynooth, as any Gentleman might satisfy himself by consulting the reports which were on the Table of the House. One objection urged against the continuance of this grant was, that by cheapening the means of education in that College, the children of the very lowest classes were sent there, and that, in consequence, the Irish Clergy were, for the greater part, taken from the lowest and least respectable classes. Now what was the fact? It could be proved beyond contradiction, that education at Maynooth was much more expensive than education on the Continent, or in other public establishments in Ireland; and consequently, so far from being open chiefly to the sons of the lower classes, they were chiefly the children of the higher and more respectable classes who got admission there, for none others could bear the expense. Upon all these grounds, which he contended were political—upon the ground of justice to the Roman Catholics, and on the ground of the security of the Protestant Church in Ireland, to which in his conscience he believed that nothing would be more dangerous than the rejection of this grant—he called upon those who valued the peace and tranquillity of Ireland, upon those who regarded the stability of the Protestant Establishment in that country, to give their support to the Motion.

Sir *John Newport* said, he was surprised at the course pursued by the hon. Gentleman opposite (Mr. Perceval) as he recollected his ancestor's opinion when he withdrew the additional grant to Maynooth College in 1808, which had been given in 1806. At that time the late Mr. Perceval remarked, "It was particularly desirable, after the establishment of the connection of this country with the Irish Catholics since the Union, that the grant of the Irish Parliament should not be diminished."* For his own part, he thought it extremely desirable that the grant should be continued to its full extent. The establishment had been instituted for the education of the Catholic priesthood, who, from the disturbed state of the Continent at that time, could not go to the usual places abroad for education. He, therefore, considered, upon every ground, the Catholics had a claim upon the House for the sum now required at the least.

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* Hansard's Parl. Debates, vol. xi. p. 94.

What, he asked, was meant by those hon. Members who opposed this grant? Did they mean to contend that Ireland had no claim upon the justice of the United Parliament for a grant of this kind? Did any hon. Member believe, that if Ireland continued to possess a separate Legislature, it would not have made a provision, and a much more ample one than this, for the education of the Catholic clergy in that country? And was it, he would ask, prudent or politic to make her feel the loss of a local Legislature in this respect? For his own part, he was most decidedly hostile to a Repeal of the Union, and for that reason he would wish to take from its advocates such irritating topics as might be dwelt upon, in referring to a refusal of such a grant as this. But was there no other ground on which the grant could be defended? Had the support which the great mass of the Roman Catholics give to the Established Church in Ireland, by tithes and church-rates, and other assessments, which pressed with great severity upon them, given them no claim to such a grant as this from the public funds of the country? He would contend, that as a matter of right and justice this grant ought not to be withheld. Its amount was of trifling value compared with the irritation which would be produced in Ireland by the rejection of the grant. It was objected to the grant, that it would be an encouragement to superstition and idolatry. Was it charitable—was it politic, or prudent, to tell millions of the people of Ireland, that the Government would not give any support to the education of their priests, because that which they taught them was superstition and idolatry? Was that the best way of contributing to the maintenance of the Protestant religion in Ireland? He had the pleasure of knowing many individuals amongst the Catholic clergy in that country; and he could state, that a more pious, more zealous, more intelligent set of clergymen—men more anxious to promote the spiritual and the temporal welfare of their flocks, could nowhere be found. Under all the circumstances of the case, he should give his most cordial support to the grant, believing in his conscience that nothing could be more injurious to the peace and tranquillity of that country, or to the permanent establishment of the Protestant religion in it, than the rejection of the vote.

Sir *Robert Inglis* said, that it was no defence of the wisdom or policy of this grant, to urge that it had been given by a former Government. The question was not, whether that Government, in making this grant, had acted prudently or not, but whether such circumstances existed at the present moment, as ought to induce the House to accede to it. He considered that the whole question was open to discussion anew. Government had altogether altered its policy with respect to grants for education in Ireland, more particularly with respect to the sums given for the support of Protestant establishments. The same ground, therefore, did not exist for supporting this grant to Maynooth as heretofore, because the withdrawing of grants from Protestants, and continuing them to a Roman Catholic establishment, would show a partiality which no Government ought to encourage. Government had withdrawn the grant from the Kildare-street Society, on the ground that advances of money for education ought to be so distributed as that Catholics and Protestants should equally derive benefit from them; here, however, was a grant not merely for the promotion of Catholic education, but for the education of a large body of men whose duty it was to inculcate in the great mass of the population of Ireland, that religion, and those doctrines, which every conscientious Protestant must believe to be false. He did not object to the education of Catholics by their own funds, but he did think it inconsistent with Protestant principles, that a sum of public money should be granted by a Protestant Government to be applied in promoting doctrines which Protestants believe to be false.

Mr. *Anthony Lefroy* rose to make a few observations upon the subject now under the consideration of the House, with considerable difficulty, because, though he confessed he differed very widely in his religious and political opinions from his Roman Catholic countrymen, still he trusted that there was no man who would be more unwilling to cast a reflection upon their conscientious opinions, or to express a sentiment hurtful to their feelings; but as he had received petitions to present against the continuance of this grant, and had been desired to call the attention of the House to them, and abstained from doing so (in order not to trespass on the time of the House, at an inconvenient period), he felt it due to those petitioners, as well as to himself, to take this opportunity of stating shortly the reason for the vote which he should this night give. He admitted that he did not conceive this House to be a suitable place for considering the theological errors of the Church of Rome, yet, as a Member of the British Legislature, and as one that fully concurred in the opinion that "to maintain that the State ought not to concern itself with the religion of the subject, is the greatest and most dangerous of all political errors, and to regard religion with indifference, the most dangerous of all modern ones," he felt it his duty carefully to watch over the interests of the Established Church, as not merely convenient to the State, but as being inseparable from it; and he felt it inconsistent, as a member of the Protestant Church, to contribute to the support of an institution which not only maintained, but educated and sent forth through the country, the ministers of a religion which he believed to be erroneous. He did not know how the right hon. the Secretary for Ireland could, in accordance with what he had before said, vote differently from him on the present occasion, as he had stated he was opposed to exclusive grants. On this ground he had diminished the grants to the Protestant Charter Schools, and had altogether withdrawn the grant from the Society for Discountenancing Vice; on this ground he stated that he had withdrawn the grant from the Kildare-street Society, though he and his friends who supported that institution, would not admit that it was an exclusive Society, and they supported it on the ground of being founded on a system calculated to do away with the differences that did exist among the people of Ireland, and to promote harmony and goodwill in that country. He knew that by such conduct his Majesty's Government had produced distrust and dissatisfaction, and it was, therefore, the more incumbent upon Protestants to view with jealousy every encroachment upon the interests of their faith, and not to assist in propagating another so much at variance with it. For these reasons he was compelled to vote against the continuance of the grant, and he trusted that any Roman Catholic Gentleman who heard him, would do justice to the feelings which urged him to assign a cause for this vote, as he thought that it was more candid to do so, than, by merely giving a silent vote, to appear to follow in the train of a political party to offer an insult to his Catholic countrymen.

Lord *Mandeville* observed, that there was one question which every Member ought to ask himself before he came to a decision on that important subject. It was this—"Is it the duty of this House to preserve the Protestant Establishment in Ireland? and if it be, how far can that object be attained by such a grant as this?" Was not the great object of the establishment of Maynooth to disseminate amongst the population of Ireland, the belief that the doctrines which the Protestant Church held to be true, were sinful and heretical? Could any Protestant, then, give a conscientious assent to a grant for the support of an establishment the end and aim of which were hostile to Protestantism itself? He did not blame those who were opposed to the doctrines of the Protestant Church, for inculcating doctrines which they believed to be true, but he should not hold himself or any Protestant excusable in supporting, at the public expense, the inculcation of doctrines which he believed to be false. This was a question which admitted of no compromise. It was a question which related to the purity of God's Word, and those who believed that that Word was corrupted and defiled by the doctrines of the Church of Rome, ought not to promote the dissemination of that doctrine among their fellow-men. He could not conceive any measure more likely to be injurious to the Protestant religion in Ireland than this. Would it not, he asked, tend to weaken the confidence of many Protestants in their own faith, when they found the Legislature, consisting, with few exceptions, of Protestant Members, thus publicly supporting an establishment which denounced the Protestant religion as heretical, and which did all in its power to induce its members to abandon their faith, and embrace the creed of Rome? He would ask hon. Members who supported this grant, did they believe that the Church of Rome taught the pure doctrine of Christianity? If they did not, on what principle was it that as Protestants they thus openly encouraged the preaching of a doctrine which they believed to be false?

Mr. *Cresset Pelham* said, it was his opinion that Parliament had the power to object to the grant. It was in one sense a religious question. As a Protestant he considered himself bound to extend advantages to every one of his fellow-subjects, which, in his opinion, might conduce to their benefit; at the same time, he did not feel disposed to promote the education of the priesthood in Ireland. They had an opportunity of deriving a more liberal system of education on the Continent, than any they could receive at the College of Maynooth. He thought it inconsistent with the duty which, as Protestants, they owed to that pure form of worship which their religion inculcated, to vote a grant for the promulgation of doctrines which they must believe to be false, and he could not consent to support a system which, in his opinion, was disadvantageous to Christianity itself.

Sir *Robert Bateson* was ready to give his support to the Motion of the hon. member for Tiverton (Mr. Perceval). He regretted extremely the course taken by his Majesty's Ministers with respect to education in Ireland. They withdrew the grant from the Kildare-street Society, because they thought its application was too exclusively Protestant, and yet they continued the grant to Maynooth, which they knew was exclusively Catholic. Had they continued the grants that their predecessors had recommended to Parliament for the promotion of Protestant education in Ireland, the continuance of this grant might be less objectionable than at present; though, in the abstract, he must say, that he did not think Maynooth entitled to the support of Parliament, because of the illiberality of the system on which it was founded. But had the grant, he repeated, been continued to both parties, he might not so much object to this; but he could never consent to continue a grant for the support of a Church which he believed to be in error, while, at the same time, the bounty of Parliament was withdrawn from establishments for education in connection with the Church whose doctrines he believed to be true. The right hon. the Secretary for Ireland had adverted to the opinion of the Commissioners for Education, in approbation of the Maynooth system, but he must take leave to say, that it was not entitled to that praise; judging from the works which were read there, and from the whole plan of education at Maynooth, he would contend, that nothing was more narrow or illiberal: and he believed it was the general opinion amongst the well-informed Roman Catholics, that the priests educated at Maynooth were far inferior in extent of learning and acquirements to those who were educated in foreign colleges.

Mr. *George Sinclair* said, that as an elder of the Church of Scotland, he felt bound to deliver his decided testimony against the continuance of the grant to Maynooth. His opposition, however, did not result from any feeling of illiberality to the Roman Catholics, or from any disposition to deny to them their civil rights. These rights he had himself advocated, and that, too, at a time when the advocacy of them had not become popular, but at a period when the Monarch and the Government were arrayed against them. It was, however, one thing to concede civil rights, and another to contribute to the propagation of a false religion. He was not ashamed to avow to this House, that in theology he was a follower of Luther, of Knox, of Calvin, and the other illustrious Reformers, to whom Great Britain and the world owed so deep a debt of gratitude. Still less could he consent to merge his faith as a Christian in the doctrines of political expediency, or hope to promote the welfare of his country, by lending equal encouragement to the ministers of the Reformed Church, and the priests of that religion against whose errors our ancestors had so solemnly protested. He could not consent to view it as a matter of indifference whether the doctrines of Protestantism, or the corruptions of Popery, were promulgated in the land; and he would remind the House, that if such indifference now prevailed within these walls, they must have greatly degenerated from the spirit which prevailed in other times. Their forefathers did not think that such questions were matters of indifference, or to be decided only by an appeal to a short-sighted expediency. Had they done so, they would not have contended for their faith, even to the death, and gladly marched to the scaffold and the stake, rather than deny their creed. He could not reconcile it with his sense of duty to vote for a grant which went to encourage the education of a priesthood, whose business it was to instil the errors of Popery into the minds of the people of Ireland.

Colonel *Sibthorp* felt, that he had only one course to follow with respect to the Motion before the House. As a Protestant, he felt bound to oppose any measure which he believed hostile to the interests of the Protestant religion in this country. He had no wish to interfere with the religious opinions of any class of his fellow-subjects. As long as their profession was found not to be injurious to the State, he admitted that the State had no right to interfere with them; but it was one thing to tolerate, and another directly to encourage and support; and he could not see how any man who sincerely believed his own religion to be true, could conscientiously support an institution, the object of which was, to teach the people that it was false.

The House divided on the original question: Ayes 148; Noes 47—Majority 101.

List of the Noes.

Agnew, Sir A.
Bateson, Sir Robert
Best, Hon. W. S.
Blair, William
Boldero, Captain
Burge, W.
Clements, Colonel
Cole, Lord
Cole, Hon. A. H.
Conolly, Colonel
Cooper, E. J.
Corry, Hon. H. T. L.
Cust, Hon. Sir E.
Dick, Q.
Dundas, R. A.
Estcourt, T. G. B.
Fox, S. L.
Gordon, J. E.
Halse, J.
Handcock, Richard
Hayes, Sir E. S.
Hodgson, J.
Hughes, W. H.
Ingestrie, Viscount
Kearsley, J. H.
Lefroy, Thomas
Lefroy, Anthony
Lowther, Hon. Col.
Lowther, J. H.
Mandeville, Viscount
Maxwell, Henry
Mayhew, W.
Miller, W. H.
Pelham, J. C.
Perceval, Colonel
Pringle, Alexander
Rickford, W.
Ryder, Hon. G. D.
Sibthorp, Colonel
Sinclair, George
Stewart, Charles
Stewart, Sir Hugh
Tullamore, Lord
Walsh, Sir John
Wetherell, Sir C.
Wynne, John
Young, John

TELLERS.

Perceval, Spencer
Inglis, Sir Robert

PAIRED OFF IN FAVOUR.

Archdall, General
Grant, Gen. Sir C.
Pollington, Lord
Rochfort, Colonel
Sadler, M. T.
Townshend, Hon. Col.

The Speaker then left the Chair, and the House went into Committee.

Mr. Bernal in the Chair. The question was, that a sum of 8,908*l.* be granted for Maynooth College.

Mr. *O'Connell* was not prepared to expect that hon. Members would allow the present vote to pass without some such objections as some of those he had heard, but he owned he had not expected to hear hon. Members go the lengths they had gone on this occasion. That many hon. Members were conscientiously opposed to any grant to Maynooth College, or to any establishment having the same objects in view, he admitted, and did not object to them on that ground; but that a man should ground his opposition on a total misrepresentation of those objects, he was not prepared to expect. However little prepared he might have been to expect the concurrence of the hon. member for Tiverton on this occasion, he owned that he had not expected to find his opposition to the Roman Catholic religion couched in such terms when speaking of the doctrines of that creed, as if he arrogated to himself the infallibility of the Godhead. Was it charitable—was it Christian for one man, believing in the same Christ, to tell his fellow-man, that his mode of worshipping God was false and damnable? Whatever the hon. member for Tiverton might think of the Roman Catholic religion, he could assure that hon. Member, that he was glad that he did not belong to a religion which held such uncharitable, such unchristian language. With respect to the grant before the House, however he might concur in what had fallen from the right hon. Secretary for Ireland, he owned that he did not feel flattered—Ireland did not feel flattered—with the importance that the right hon. Gentleman attached to this grant. In amount it was nothing, and if it were withheld altogether, about which he was perfectly indifferent, it would be found that the Catholic priesthood would be as fully provided for in Ireland as at this moment. He was not surprised at the hon. member for Tiverton, and other hon. Members, complaining of being called on to give any support to a religion, in the truth of which they did not believe. Any conscientious man might feel the same objection, but did it never occur to those hon. Members to deal out the same meed of justice to others which they claimed for themselves in this respect? Did it never occur to them, that the Catholics of Ireland were compelled to support a Church in which they did not believe?—that they were not only obliged by tithes to support the wealthiest body of clergy in Europe, but that the building of churches, the repairs, the ornaments, of those churches—nay, even the very price of the sacramental elements, was taken from their pockets; and yet, now, when a paltry grant of the public money was proposed to the support of their own clergy, hon. Members turned round upon them and said, "No, you shall not have any money from the public to support your creed, because you believe that which is false; because you believe that which is damnable." Was fallible man thus to assume the attribute of infallibility? Was a poor worm of the earth thus to set himself in judgment over the eternal doom of his fellow-being, and thus blasphemously presume to state, that his opinion must also be the opinion of God? What an example was here held out to the people of Ireland. If that example were followed, what must be the consequence? Let this grant but be refused—and, he repeated, he did not care for the grant—but let it be refused, and in one month after, was it not probable that the tithes and the Church-rates of Ireland would not be collected, unless at the point of the bayonet? Were the supporters of the Protestant Church in Ireland prepared to attempt that mode of collection, or did they believe that the Catholics alone were the only parties who would object? Let them not be deceived in that respect. No very inconsiderable number of the Protestants in the north of Ireland would be glad of the opportunity to resist the payment. Be that, however, as it might, he would confidently assert, that in three provinces out of the four in Ireland, it would be impossible to collect tithes and Church-rates, but by physical force, if this grant were refused. Were hon. Members prepared for these consequences from the principles they had this evening declared. With respect to the grant, he again repeated, that he did not value it as a boon to the Catholics. They would be most willing to support their own clergy liberally, without any aid from the State, if, like the people of Scotland, they had only their own clergy to support; if they were not pressed down by the burthens of a church in which they did not believe. He hoped, however, that the time was fast approaching, when the principle of each religion supporting its own pastors would become general. The hon. member for Tiverton, no doubt, believed that the religion of the Catholic Church was an error. He believed that it was true, but did he, on that account, presume to sit in judgment upon his fellow-man? Forbid it, Christian charity! He left man to be judged in religious matters by that Being who alone could judge justly. The intolerant spirit which the hon. Member had breathed forth that evening, was the spirit which had produced the Inquisition in Spain, and the Orange Lodges in Ireland, and in each case the result was similar. Christian charity and Christian forbearance were forgotten: bigotry, prejudice, and personal rancour supplied their place, and so it must ever be, where man presumes to deny to his fellow-man that liberty which he himself claims in matters of religion. The priesthood, who were educated at Maynooth, were made the subjects of observation and attack. Upon that subject he would not at that time enter further, than to appeal to those hon. Members who had opportunities of judging of the character and conduct of the priests in Ireland. He would appeal particularly to those hon. Members who differed from him in religion, and who, he was sure, would not allow that difference to hinder them from doing justice to that able, intelligent, pious, and indefatigable, but yet much calumniated body of men. As to the grant, if the House divided, he felt that he must give his vote for it, but he must again beg to repeat, that he was perfectly indifferent whether it was given or not. Hon. Members had objected to the establishment of Maynooth, because, as they alleged, the cheapness of education there induced some of the very lower classes to send their children, and that, consequently, a large body of the priesthood were thus taken from the humblest classes. He would not then enter into the question, whether a man from the humblest class in society might not, by education, be raised to the highest acquirements in literature and science; examples of this kind were of every-day occurrence. Now, what was the fact as to the cheapness of education at Maynooth? It could be proved beyond a doubt, that education, in most of the foreign Universities, could be obtained for one-third what it cost at Maynooth. He had investigated this fact, and found, that it required three times the sum to pass a man through Maynooth, that it did through any of the foreign colleges. The sum of money Maynooth cost each individual, was three times greater. The first year alone cost 40*l.* That sum would certainly, have been amply sufficient to have taken the priest to France—to have kept him while there, and then to have paid his expenses home. It had been said, that this was a safe place for the Catholic clergy. Years ago, this might have been an argument—in by-gone times, when they fled from persecution, and when the name "refugee priest," was a common one throughout the country. In times such as those, this might have been an argument; but Maynooth had given rise to a class of priests of a very different description; these priests had discovered that they had political rights as well as religious duties to attend to, and that they were as much bound to preserve the one, as they were to perform the other. But they gave abundant satisfaction to their own flocks, who looked up to them with gratitude and respect—who supported them with pleasure—who educated them at Maynooth—and who contributed, from their own stinted means of support, for this purpose. The priests discharged their duties in return, and were esteemed, valued, and beloved by their flocks. Maynooth had produced this effect, although not one-fifteenth part of the Roman Catholic clergy were educated in Ireland. Before he sat down, he must repudiate an idea which the hon. Gentleman appeared to entertain: he rebutted the charge; he denied that any man in that House was his superior, or that he had any worldly advantage to look up to in consequence of professing the Catholic religion. He was as ready to prove his belief in those doctrines as any man could be, in a proper place; he was as convinced of the truth of his religion as any Gentleman could be of the truth of his; he asked no compassion, no forbearance, from any man who made him a handle for abusing his religion; although he must confess, that he should prefer it if the charge were made in a little more courteous language, and with less acrimony.

Mr. *Spencer Perceval* said, the hon. member for Kerry had accused him of having attacked the Roman Catholics in an ungentlemanly and acrimonious manner. Had such an accusation proceeded only from the member for Kerry, he might have been well content to have left it unnoticed where it fell; but the member for Kerry had been answered by a cheer, and in deference to that cheer, he would put it to the House, whether he had said one word which would justify such an attack. The hon. and learned Member had accused him of using unchristian expressions, and of entertaining unchristian feelings against the Roman Catholics. He denied that he entertained unchristian feelings towards any man, or that the expressions he had used could bear the constructions which the hon. and learned Member had put upon them. He had stated his opinion on a matter which, he considered, admitted of no compromise of feeling. He stated his opinion, that taking God's Word as the standard, Popery was a system of falsehood and corruption of the pure worship of our Lord Jesus Christ. On that ground, he thought, that as a Protestant, he could not consistently give his support to any grant for the encouragement of that religion. In stating that such was his conviction, he made no personal attack upon any man, and he denied that he was guilty of conduct unbecoming a gentleman. "But," said the hon. Member, "whatever opinion any one may entertain on this subject, and however highly I may value my character as a gentleman, I trust that I shall never be guilty of the baseness of sacrificing my duty as a Christian for the reputation of a gentleman. I trust I shall never be deterred by the sneers of any man from giving expression to opinions which, in my duty, I feel bound to utter. The member for Kerry ridicules the idea of any one saying that he believes his opinions to be founded on the Word of God. Why, Sir, what does the hon. Member himself mean, when he says he believes the Roman Catholic religion to be true? Does he not mean to say, that he believes it to contain the truth of God? That is, too, what I mean; but both cannot be right. If Protestantism be truth, then Popery is falsehood. The two religions are diametrically opposed. I say that the one is the truth of God. If this is the case, the other must be a corruption of His holy Word, and here, Sir, I am content to leave the matter."

Mr. *James E. Gordon* said, that he had refrained from taking any part in the discussion of the Amendment, upon which the House had divided, as he was prepared to meet the grant with a direct negative. With those who had preceded him, he felt himself in a somewhat unpleasant situation, as it respected the principles and feelings of many hon. Members of that House. It was, at all times a sufficiently ungracious duty to condemn and to oppose principles in the abstract, but when those principles were held, conscientiously held, and publicly professed by men of honour and integrity in that House, it added exceedingly to the embarrassment of the individual who should undertake to impugn them. It was not enough, in the present instance, that he should oppose himself to certain doctrines taught at the expense of a parliamentary grant, but constituted as the House of Commons then was, he must do so in the presence of hon. Members who were as sincere in the belief as they were honest in the avowal of these doctrines, and he envied not the condition of the man who could so effectually divest himself of the consideration of what was due to the feelings of others as to discard every restraint of a personal nature from his mind. He stood there, however, not to accommodate himself to the feelings of those whom he had the honour to address, but to discharge a solemnly momentous duty, and painful as that duty might be, he should enter upon the performance of it with the feeling of one who was deeply responsible as to the course which he was about to pursue. He would only further premise, that it was not his intention to enter upon the theological discussion of the doctrines of the Church of Rome. Whether they were true or false, was not, he considered, the question which they had then to discuss, but, believing as he did, with every consistent and scripturally instructed Protestant, that they were erroneous, and destructive to the souls of those who received them, he could not but be influenced in his opposition to the grant by that conviction. Assuming that as the foundation of his belief, the first ground upon which he should object to the proposed vote was very simple. The object of the grant was, to give currency to the doctrines of the creed of Pope Pius 4th, and against such an object he was compelled both by principle and consistency to protest. The right hon. the Secretary for Ireland had asserted, that the object of the grant was purely political, and he had listened with considerable anxiety to catch, if it were possible, some reason in support of such a declaration. Nothing, however, in the shape of reason had been given, nor did he believe, that it was possible for the right hon. Gentleman to defend his position by any arguments which were intelligible to that House. The office of the priesthood of Ireland was a religious office. The doctrines which they taught were set forth in the creed of Pope Pius 4th, and no one acquainted with that creed would deny that it contained exclusively theological doctrines. But if the office of the persons whom it was the intention of the Government to educate, was a purely religious office, then the object of the grant was a religious object, and all the logic of that House would not prove the contrary. On that ground, therefore, he took his stand, treating the question as one of a religious character, he found himself restrained from giving any countenance to the grant, by the consideration that we were not at liberty to do evil that good might ensue. If moral guilt attached to the inculcation of error, moral guilt attached to the support and sanction of error, and if it was sinful to teach a system of Anti-christian doctrine, that House, in voting a grant to educate the teachers of such doctrine, would, in the language of Scripture, become a partaker in other men's sins. So much for what he considered the religious view of the question, in its simplest and most obvious sense, but he could not stop there. He should feel himself obliged to treat the subject more comprehensively than had been done by the friends who had preceded him, and to follow out the dogmata taught in the College of Maynooth to their practical results upon the mass of the population. These doctrines, which were wire-drawn, if he might so speak, into a variety of catechetical forms, were administered in that popular shape by the agents that a British Parliament had undertaken to educate, and, therefore, the question of what these agents taught to the people, entered as much into the argument for or against the present grant, as the consideration of the doctrines which they themselves were taught. He should not inflict upon the House the penance of an extended reference to the popular standards of theology, which the Priests of Maynooth were employed to administer to the peasantry of Ireland. One specimen would be sufficient, and in order that no objection might be made to the authority of that specimen, he should select the edition of the *Christian Doctrine,* revised by Dr. Doyle, and prescribed by him to be taught throughout his diocese. In the preface to that work, he found it announced as a useful contribution to the spiritual advantages of those whom the writer described his dearest children in Christ, and one among the instruments whereby the knowledge and practice of the Christian religion would be planted and watered, It followed, in the concluding part of the preface, that it was sanctioned by that most sacred authority with which the writer and his order are sanctioned from above. It was not, as he stated before, his object to enter upon the question of whether these doctrines, said to be taught by Divine authority, were true or false, but the effect which they were calculated to produce upon society, was a consideration in which that House was intimately concerned. Now among these doctrines, taught at the expense of the Protestant public, was one which stigmatized every Protestant in Ireland as a heretic, obnoxious to the wrath of God. He should leave it for the House and the country to estimate the consistency of calling upon Protestants to promulgate such tenets, and he should leave it for those who were acquainted with the moral, the political, and the social condition of Ireland; to speak of their effects upon society. But it was not enough that Parliament should be called upon to uphold doctrines which were inconsistent with the peace of society; it must also be called upon to lend its aid in support of doctrines which went to sap the very foundation of moral obligation. He found, for example, in the same work, a distinction laid down between moral and venial sin, and he should quote the terms in which that distinction was expressed:—Qu. "By what kind of sins are the commandments broken?—Ans. By mortal sins only, for venial sins are not, strictly speaking, contrary to the end of the commandment, which is charity." So much for the distinction itself. He would beg the attention of the Committee to the practical application of this principle, and the manner in which it affected the moral condition of society:—Qu. "When is theft a mortal sin?—Ans. When the thing stolen is of considerable value, or causes a considerable hurt to our neighbour." Thus, if the believer in that most accommodating doctrine, should be tempted to steal a shilling from an indigent and suffering neighbour, the act would come under the definition of mortal or deadly sin, forasmuch as it would cause considerable hurt to the injured party. But if the same individual should steal to the value of a thousand pounds from a person in great affluence, it might, after all, be a merely venial offence, because it would not cause considerable hurt to the injured party. Then it was to be kept in mind, that the judgment of the thief constituted the moral arbiter which was to determine the distinction. Again with respect to the sin of lying—Qu. "When is a lie a mortal sin?—Ans. When it is any great dishonour to God, or notable prejudice to our neighbour." Thus the liar is at liberty to lie venially up to the point at which he may conceive that the practice causes great dishonour to God, or notable prejudice to his neighbour. And these were the doctrines which a professedly Protestant State was called upon to sanction, to support, and to teach, to the people of Ireland. But he would not restrict his view of this subject to the doctrines which the Roman Catholic priests of Ireland were educated by the British Government to teach, or the effects which these doctrines were calculated to produce upon society. There was another view of the character of the priesthood of Ireland which he was bound to include in his estimate of the question before the House. While that body was actively engaged in the propagation of what he considered dangerous error, and what the fathers of the Reformation would have termed soul-destroying doctrines, they were just as actively engaged in excluding the light of heaven from the darkness visible which it was their constant endeavour first to create, and then to perpetuate. Yes, while doctrines such as he had pointed out, and worse than what he had pointed out, were systematically and authoritatively taught; and while free course was afforded to the history of profligate and treasonable adventure, the Book of God was hunted from house to house and from hand to hand, with an almost instinctive hostility. The Bible—the palladium of Protestantism, and the foundation of our common Christianity—was a proscribed book, and a people who in matters of faith professed an exclusive reference to the precious truths which it contained, were called upon to educate and to distribute through Ireland in parochial detail, a class of individuals who were religiously pledged to banish it from public observation. Was this, he would ask, a calumny or a fact? Let the testimony of experience, and the declarations and oaths of Roman Catholics themselves answer the question. The first authority which he should quote in support of the declaration would be one to which that House could not reasonably object. In the year 1824 an encyclial letter reached Ireland from

Rome, in which versions of the Scripture in the vulgar tongue were stigmatised as Gospels of the Devil; and an appeal was made to the 4th rule of the index of prohibited books against the general use of the Bible in any form by the laity. And how, he would ask, was this rescript received by the Roman Catholic hierarchy of Ireland? Did they assert that independence of which they sometimes boasted, and appeal from the authority of this document? Or did they use their discretion with respect to the public and general use of it? No such thing. In a pastoral address, written to pioneer it through the kingdom, they gravely stated, that in the sentiment expressed by their head and chief they fully agreed; and, not satisfied with a mere assent in the matter, they appealed to the prohibitory rule of the index quoted by his Holiness as the groundwork of that assent. Thus they had the recorded decision of the Roman Catholic hierarchy of Ireland against the general use of the Scriptures by the laity, and that decision was in accordance with the uniform practice of the priesthood. What could we expect in such circumstances but a prevailing ignorance of the Word of God in the land? And what did we meet with in experience but a most appalling verification of that fact? One instance out of a multitude which he could quote would be sufficient to put that subject in a practical light. In the evidence given on oath by a most respectable Roman Catholic gentleman of the name of Donnelan, before the Commissioners of Irish Education Inquiry, he stated, that in many parts of the province of Connaught with which he was acquainted, the peasantry did not so much as know what a Bible or Testament meant, until the exertions of the Bible Society brought the book within the range of their observations. But further. At the time that that gentleman was giving his evidence, there were, as he asserted, multitudes who could not distinguish a Bible or Testament from any other book, even after it had been put into their hands. But perhaps he might be told, in answer to such a charge, that a version of the Bible had been printed under the sanction of the Roman Catholic Bishops, and was actually on sale in Dublin. Such he admitted to be the fact, but did the mere license to sell a copy of the Scriptures at 18*s*. in boards, afford evidence of a disposition to circulate the book? He had done with Roman Catholic priests, in the discharge of what might be considered their ecclesiastical function, but called upon as he was to sanction a vote for the multiplication of their number in Ireland, there were other aspects of character in which he must take the liberty to contemplate them. It would seem that a circular order had lately issued from the seat of Government in Dublin, requesting the assistance of the clergy of the different persuasions, to cooperate in taking a census of the population of their respective parishes. This, in regard to Roman Catholic clergymen, he conceived to be a reasonable requisition on the part of a Government to which they were so deeply indebted but what was the result? He held in his hand five of the published replies to that circular, by Roman Catholic priests, and he should read one or two of these for the information of the Committee. The first was signed, John Burke, parish priest of Castlepollard, and he would, particularly request the attention of the Committee to its contents:—It was as follows.

"Sir,—I have been favoured with two copies of your circular, on the census of the population. I suppose the parish priest of Newtownbarry received one or two more. I would wish to know, what obligation the priests of Ireland owe, either to you or the Government, that we should assist your travelling servants, and look over their work. If you want clerical bailiffs, call on those whom you pay, and who have nothing else to do; with respect to us, we have neither time nor inclination to give you gratuitous services, no more than we would be inclined to disgrace ourselves by receiving your pay. You want the census of my parish. All the information that I can give you, is that its population was reduced on the last shooting day eleven in number, and that we have laws which forbid me to characterize that deed as it deserves."

He should not occupy the time of the Committee by reading the whole of that disgraceful production. It would be sufficient to add the conclusion:—

"Sir,—Send your Orange messengers and enumerators to those to whom they are welcome, but let them not be annoying my little place by their unwelcome presence. I am too much affected by the loss of my parishioners, whom I regarded more than I do you, or any one belonging to or connected with the Irish Government, to turn my attention to this display, that is so worthy of the men who are the adorers of Jupiter, Mars, and Pluto in perhaps more instances than in taking the census.
"To Geo. Hatchill, Esq. Dublin Castle."

The Author of the communication which had just been read, was represented as expressing himself in the plural number; "we, the priests of Ireland," was the phrase which he employed, and the Committee would find in the next sample which he (Mr. Gordon) should adduce, that there was a unity of feeling upon the subject, and that Mr. Burke had correctly represented that feeling. It was from a priest of the name of Fagan, in the county of Meath, addressed to the same officer of Government:

> "Sir,—After the prompt and indignant rebuke which you have so lately received from my respected friend, the Reverend Mr. Burke, of Castlepollard, on the subject of the census, I did not imagine that you would so soon have the effrontery to annoy any more of the clergy of Meath with your insulting circulars. I therefore beg leave to assure you, that you know but little of the high character of the Catholic clergy, if you think they could be induced to become the associates of Orange underlings, and the pioneers of your work. No, Sir, they sympathize with their flocks in their manifold grievances, and will not become the enumerators of persons, who, perhaps, are marked out for victims on the next shooting day; and as long as Ireland is the prey of a faction, and 'despots work their tyranny in forms of law, in that ill-fated land, so long as Anglesey Yeomanry butcher with impunity a peaceable and unoffending people, so long will the Catholic clergy entertain feelings of deep indignation towards their oppressors, and scout such circulars as yours with the contempt they deserve."

He held in his hand three other documents of an equally, or, if possible, of a more reprehensible description; and he was satisfied, that if the whole of the answers in the possession of the Government were laid upon the Table of that House, they would betray a secret of which the public could at present form no adequate conception. And was that, he would ask, among the qualities of character and the dispositions towards Government which entitled the Roman Catholic clergy of Ireland to the benefit of a parliamentary grant? But there was another view in which he should take the liberty of presenting one or two specimens of that body to the Committee. It might be within the knowledge of some hon. Members present, that Dr. Doyle had recently addressed a letter to a right hon. Gentleman on the opposite side of that House, in which he had expressed a hope, that the hatred of Irishmen to the system of tithes might be as lasting as their love of justice. He certainly did not mean then to inquire into what had been the effect of that appeal upon the passions and the interests of an ignorant and misguided people, but it was natural to expect that the sentiments of such an authority would be duly echoed by those who were subject to his influence. What then was the fact? In a meeting of the people, as it was termed, of the county of Carlow, held a few days since at Bagnalstown, he found the clerical auxiliaries of Dr. Doyle at their post, and he should quote a part of the address which one of them was reported to have delivered on the occasion:—"The present tithe system is and will continue to be the source of deep discontent in this country; and why should it not, when the amount of tithes goes to swell the already full store of the bloated parson, who only eats and drinks and sleeps, and eats and drinks and sleeps again?" [*cheers.*] And had it come to that, that such expressions, when applied to the clergy of the Established Church, could be cheered in that House? Did those hon. Members who had cheered the expressions which he had just quoted, pretend to reconcile such expressions with the principles or the practice of a minister of the Gospel? If so, he would tell them that they betrayed a very lamentable ignorance of the character of a Christian minister. But let it go forth to Protestant Britain, that the grossest terms of abuse and reproach, when applied by a priest of Rome to the Protestant clergy, were loudly cheered on the Ministerial benches of that House. He could tell those hon. Members who could applaud such sentiments, that there was a voice without as well as a voice within these walls, and if there was one particle of Christian, of Protestant, or of Constitutional feeling in the land, it must, and it would, respond to such appeals as the circumstances of that night's discussion had addressed to it. He should again refer to the speech of the Rev. Mr. Maher:—"Was not that law," said that reverend gentleman, "a disgrace to the land, which had consigned two men to prison at Kilkenny, for merely endeavouring to preserve peace and order at a meeting held on the subject of tithes? Will not the fathers of Kilkenny make their sons swear eternal hostility to a system which has consigned these two individuals to rot in a dungeon? The real disturbers of the county were the Grand Jury jobbers, and the minor fry who acted under them, the parsons and their proctors, and the landlords of that county. If the landlords did not take great care of themselves, the people of Carlow would rise up and drive them from the county." [*Cheering.*] Hon. Members might cheer such atrocious language and conduct, and, for aught he knew, it might be perfectly consonant with their sentiments to do so, but he did not hesitate to tell them, that those who could cheer such threats would cheer on to their work the midnight incendiary with the torch in his hand, and the assassin with the dagger under his cloak [*a laugh, and hear, hear.*) Those cheers should reach the public ear, and if there was a channel of conveyance from that House to the intellect or the feeling of the country, the sentiments which had been applauded that night, and the quarters from which the applause had proceeded, should circulate through the length and the breadth of the land. Did those hon. Gentlemen from Ireland who sat on the opposite side of the House, imagine that their defence of Roman Catholic priests, and their cheers when the conduct of Roman Catholic priests was impeached, would shield their persons and their property in the day of visitation? If they did so, he would tell them that they were grossly deceived; and when the landlords of Ireland received notice to quit, they might come to discover, when it was too late, that they would not be the last in the procession. He had done for the present with the Roman Catholic priests of Ireland in their political character, and the review of their principles in that capacity was the last argument against the grant with which he should think it necessary to trouble the Committee. He opposed that grant, because it would be employed to inculcate the tenets of what he believed to be a false and destructive faith. He opposed it because the effects of that faith, in the form in which it was taught by the Roman Catholic priests of Ireland, were destructive of the moral, the social, and the political well-being of society. He opposed it because the men whom it was voted to educate would allow free course to every species of publication which could inflame the passions, debase the principles, and vitiate the moral sense of society, at the same time that they exerted every effort to exclude the Volume which had God for its author, salvation for its end, and truth, without any mixture of error, for its matter. He opposed the grant because it would be employed to train, and to place at their posts, a band of political incendiaries, whose influence and efforts would be exerted to excite, to organize, and to direct the hostility of the population against the Government, and against the Protestantism of the empire.

Mr. *O'Connor* expressed great regret at the speech which he had just heard from the hon. and gallant member for Dundalk, which was calculated to excite rather than to appease religious animosities in Ireland. He had no objection to hon. Members indulging themselves in polemical discussion if they thought proper, but the House of Commons was not the fit arena for such discussions. That House ought to be the fountain from which peace and harmony should be diffused in a thousand streams throughout the land. He had no objection to the hon. member for Dundalk contending for the superior purity of his own faith; that was a matter of which, as far as he himself was concerned, the hon. Member had a right to judge; but he must submit, that even the conviction that his own faith was pure did not warrant him in making violent attacks on the opinions of others—attacks which could never lead to the conversion from error of any of those whom the hon. Member believed to be going astray, but which must rather tend to continue them in that error. Allusions were made to the Kildare-street Society, which were not well timed, for they ought rather to have been made when the grant for education was before the House. He regretted that no means could be devised to put a stop to the unhappy dissensions that prevailed on the subject of education. He regretted that minor considerations should arise on this important question, for no one seemed to doubt that there was every social and moral obligation on the Legislature to see that the people were properly educated. The question of the education of the Catholic priests was one of the greatest importance; and, under present circumstances, it would be an act of the grossest injustice to withhold the grant from the College of Maynooth: indeed, he had not heard anything approaching to the semblance of a reason why this should be done. This College was established with the understanding that the grant from Government would be continued to it, and it would be a breach of faith to withdraw the grant at present; it would, at the same time, be highly impolitic to do so, because the certain effect of it must be to produce great irritation and animosity among the people of Ireland. As a financial measure it could not be regarded as of any importance, and the withholding it would have the greatest moral effect on the people. Previous to the establishment of this College, the greatest complaints were urged that the priests were sent to foreign countries to receive their education, and that they returned imbued with foreign prejudices, and it was on this account that the Ministry proposed the grant. It was said then, do not educate your priests abroad, for there they will adopt the prejudices of foreigners; and now, forsooth, complaints were made against the Irish priests, that they entertained too strong national prejudices which arose from their being educated at home. This appeared to him to be a complete solecism. The hon. Member said, that they were ignorant, and at the same time he objected to institutions founded for their instruction, on the ground that they imbibed national prejudices at home. It was objected that the Catholic priests in Ireland were opposed to the education of the people: no objection could be more unjust or unfounded; and, in disproof of it he appealed to the fact which all those acquainted with Ireland were aware of—that every Catholic chapel in Ireland had a school attached to it, in the direction of which the priest took a very active part.

Mr. *Lefroy* was anxious to rise immediately after the hon. Member who had just sat down, as, though he could not concur in his reasoning, he wished to follow the tone and temper in which he had addressed the House. Indeed, he saw no reason why this subject might not be discussed without the necessity of hon. Members wounding the feelings of one another, whether it were to be considered as a question of private conscience or of State policy. The hon. Member had viewed it in the first light, and the right hon. Secretary for Ireland had wished to consider it in the latter. He was disposed to take the subject in both views. The State had made choice of a particular religion, and decided upon maintaining it as the true religion. He conscientiously concurred in the choice the State had made, and therefore felt bound, as a matter of private conscience as well as State policy, to secure to that religion a preference, and to resist any attempt to encourage or support an opposite system. This was not, as had been suggested, an arrogant assumption that the private judgment of the Protestant should control the private judgment of the Roman Catholic—it was merely giving effect to the judgment of the State, by those who conscientiously concurred in it, nor did he see why this should give offence to any hon. Member who happened to be a Roman Catholic, or be considered as any want of toleration: for there was a vast, an essential difference between that toleration which would not refuse to bear with any other religion, and that spirit of liberalism—worse than indifference—which would give positive encouragement and support to opposite and conflicting creeds. He could not distinguish between what was now proposed and the having two Established Churchs, in each of which the same State would be providing for the maintenance and education of ministers, who would be bound conscientiously to teach opposite and conflicting doctrines. If this had been proposed at the time of the Reformation would it have been listened to? If it had then been proposed that the State should have endowed an establishment for the maintenance and education of a body of the Roman Catholic clergy, would the Parliament which adopted the Reformation, have listened to such a proposal? And where was now the difference? Whatever justification might be supposed to have been derived from the plea of necessity, when the Continent was shut out from the Roman Catholics by the war, had long since ceased. When it was said, that the Roman Catholics contribute to the maintenance and support of the Established Church, and therefore were entitled to a support for their own Church, the argument proved too much,—it would go to prove that we should have as many Church establishments as we have religions; for the members of them all are as much bound as the Roman Catholics to contribute to the support and maintenance of the Established Church. Indeed, the right hon. Secretary seemed willing to lay hold of this argument, for he stated that the Presbyterians had an establishment supported by the State, for the maintenance and education of their clergy, the Belfast Institution. But that was a total mistake; such was not the object of that establishment, and he would undertake to say, that the only establishment in England or Ireland, supported by the Government for the education of any clergy but those of the Established Church, was the Roman Catholic College at Maynooth. Much had been said of the expediency of this grant, and he was free to confess that, if it were open to decide the question upon the ground of expediency much could be said in its favour. But it was a question of principle—of religious principle and political consistency; and though it had been intimated that there might be danger in withdrawing this grant, he was of opinion that for States, as well as individuals, there was but one conscientious, one safe line to follow—that was, to resolve to do right, and take the consequences. He had, on these grounds, voted for the motion on which the House had just divided, and must, on the same grounds, oppose the grant now proposed.

Mr. *Petre* concurred with his hon. friend (Mr. O'Connor), in the expression of deep regret that a discussion of this kind should be introduced into that House. All that hon. Members had to do with religion, was, to act up to its precepts, by doing their duty to the country, and by acting in charity with all mankind. These were obligations binding on men of every Christian denomination, without distinction of sect, but he feared that the observance of these duties would not be much promoted; on the contrary, that it would rather be checked by entering into discussions which, when taken out of place, tended only to exasperate rather than to conciliate. He should give his cordial support to the Motion before the Committee, because he felt the refusal of it would serve only to alienate the affections of the people of Ireland. He could not understand the proposition of the hon. member for Tiverton when he said, that liberalism in religion was infidelity in diguise, for he had always been taught to believe that liberalism in religion was nothing more than the universal charity of the Gospel.

Mr. *Burge* also regretted the introduction of religious discussion on this occasion, because he felt that such discussions tended only to disturb and destroy those feelings of charity and forbearance which Christianity inculcated alike on all its professors. He therefore, did not rise to offer any objection to the grant, on the ground of his religious difference from those for whom it was intended, but he nevertheless did object to it, because he found that his Majesty's Government, at the same time that they continued this grant, expressed their intention of withdrawing those aids which Parliament had usually given for the protection and encouragement of several Protestant establishments in Ireland. If he found that the protection and pecuniary aid of Government were to be extended to the Kildare-street Society, and to other institutions which had for their object the promotion of education on Protestant principles in Ireland, then he should offer no objection to this grant; but when he found so different a measure was dealt out to establishments at one side from those of the other, he could not sanction the inequality. He, therefore, should oppose the Motion.

Lord *Ebrington* said, it had been his lot to hear many religious discussions in that House, and to listen to many speeches upon the subject of religion, which had given him pain. None, however, were ever more painful to him than those which fell from the hon. Gentlemen on both sides, who joined in the earlier part of the discussion of that evening. But if he felt pain and regret at that portion of the debate, it had been much more than compensated by the gratification which he had derived from the speeches of the hon. member for the county of Roscommon, and his hon. friend near him. If he wanted anything to confirm him in his vote for this grant—if he wanted anything to satisfy him of the propriety of the part which he had always humbly taken, in affording to his Roman Catholic fellow-subjects a participation in the constitutional rights and privileges which he, as a Protestant, enjoyed—he should have found it in the sentiments which he had had the satisfaction of hearing from the two Gentlemen to whom he had alluded, and who were professors of the Roman Catholic creed. The hon. member for Dundalk had said, that no man who felt conscientiously impressed with the truths of the Protestant religion could support this grant. He was as conscientious a Protestant as any man in that House; but he did not think that it was any part of the religion of a conscientious Protestant to abuse and vilify the faith of any other sect of his fellow-christians. He did not think that the adoption of such a course as that was at all calculated to prove a man's attachment to the Protestant religion. He had some experience in Ireland as to the state of that country, as to the condition of its people, and the character and conduct of the Roman Catholic clergy, and he could bear testimony to their exemplary diligence in the discharge of all their duties as sincere and pious Christian pastors. He gave his cordial assent to the Motion, and he thought it would be an act of great injustice to the people of Ireland that the grant should be withheld.

Mr. *Wyse* said, that the question was not whether Ireland should be Catholic or not, but whether the Irish Catholics should get a good education or a bad one. To say that, because they were Christians, they were not to attend to the education of other Christians who might differ from them in some particulars which they were not ready to admit—was contrary not only to the principles of Christianity, but contrary also to the practice and belief of almost every civilized nation. There was not a nation in Europe which did not entertain such a degree of concern for the interests and welfare of those of its subjects who might dissent from its Established Church, as to provide a certain description of education for them; and, if they could place that education under the control of the Government, they considered themselves fortunate in doing so, and not as conferring any great boon on the parties to whom it was extended. The hon. Gentleman who opened this debate talked of no other system of the Christian religion than that which he professed, as being endurable; but what right had he to say, that the College of Maynooth was Anti-christian? Go where they would, wherever the dominion of England was established, and they would find the principle of religious toleration acknowledged and acted upon, and the means of education everywhere provided. It was so in Corfu, in Malta, in Hindostan, in every part of the empire, where various creeds were professed, and different forms of worship observed. Why, then, should it be denied to Ireland? This grant for the College of Maynooth, when it had been first proposed, had been considered by the very persons most anxious to oppose it, as scarcely adequate to effect the object for which it was intended. The population had since increased, but the amount of the grant had continued unaltered. Yet the Protestants maintained that it was too much. He must bear testimony to the exemplary conduct of the Roman Catholic clergy, and to their zealous exertions in endeavouring to promote, on all occasions, the spiritual and temporal welfare of their flocks. It was a gross libel on that excellent body of men to say, that they were opposed to the education of the people. As one proof that they were not so opposed, he might mention the fact, that very lately a College had been founded in the county which he represented (Tipperary) sufficient for the accommodation of 300 students, that admission to it was open equally to Protestants and Catholics, and that all the expenses of its erection had been defrayed from the funds of the Catholic clergy of the diocese.

Mr. *Henry Grattan* said, he should support the grant, because he highly approved of the system of education which it enabled Maynooth College to give. He regretted, however, that it was not more extensive in its operation. As to the policy of making such a grant as this, he would observe, that the true way to secure the British connexion, and to keep the Catholics of Ireland attached to this country, was to educate them at home. It was most extraordinary to behold men like the hon. member for Dundalk and others, who had lived so long in the world, and who had learned so little, venting, at that time of day, the threadbare calumnies, the oft-refuted libels, and the disregarded and exploded cant which had been so often employed against the pious and exemplary Catholic clergy of Ireland, amongst whom the Protestant established clergy might find many examples worthy of their imitation. Any one who had the honour of being acquainted with the most reverend Dr. Murray, the Roman Catholic Archbishop of Dublin, with the most reverend Dr. Curtis, and the right reverend Dr. M'Cabe, and many other distinguished members of the Roman Catholic hierarchy of Ireland, would admit them to be men of high distinction in literary attainments, and still more distinguished for their eminent virtues as Christian Bishops. As to the answer of the Catholic clergyman of Newtownbarry, which had been read by the hon. member for Dundalk, he must say, he thought it extremely unfair and illiberal to take an isolated fact of this kind (even assuming that it deserved the character the hon. and gallant Member had given to it) as a specimen of the conduct of the whole of the Catholic clergy of Ireland. But he denied that the letter of the reverend Dr. Burke deserved the censure which the hon. and gallant Member had cast upon it. That reverend gentleman was at the moment suffering under the natural irritation which any man must feel at having a considerable number of his parishioners, he might say, wantonly destroyed.

Mr. *Andrew Johnston* said, as an elder of the Church of Scotland, I feel bound to object to the proposed grant. At this late hour, and considering the present temper of the House, I shall only state a very few reasons which weigh strongly with me on the present occasion. I regret, Sir, that the hon. member for Tiverton took up this question on such low ground; and did not consider it, in what I may term an out-and-out manner. As an office-bearer of the Church of Scotland, to which I reckon it an honour to belong, a Church which has done more good for her people, I may say, than almost any other Church in existence, I cannot consent that the people of Scotland should be taxed for the support of an institution for instruction in the tenets of the Romish faith, which my Church holds to be idolatrous. The hon. member for Kerry has said, that this is a paltry grant; if so, why does he condescend to accept it? But, Sir, a portion of that grant must be contributed by the country to which I belong; and to this, as long as I hold the place of a legislator here, I will never consent. I agree, Sir, in opinion with those who hold, that the evils to which Ireland has so long been subjected, are not owing altogether to misgovernment, but mainly to the influence of the Papistical faith. Sir, I do not rest this assertion on speculative theories, but on historical facts, which I will not at present dwell upon. I must not, however, omit to notice the extraordinary reception which several petitions from Presbyterians, on the subject of this grant, have met with in this honourable House. I particularly allude to two petitions, which I have carefully considered; and which contain merely abstract propositions, founded on the Confession of Faith — the Articles of the Church of Scotland; and yet, the proposed printing of these petitions was, in no ordinary manner, refused. Sir, the petition from Glasgow was subscribed by twenty-one ministers of the Established Church, nearly one hundred elders, and by five Dissenting clergymen. I am sure, if the hon. member for Preston (Mr. John Wood) had been acquainted with the creed of the Church of Scotland, he would not have applied the terms "pitiful spite" to these most respectable petitioners. Sir, I trust I may say, that this House is still a Protestant House of Commons; and, that the hon. Roman Catholic Members around me (and to whom I beg to disclaim the smallest intention of giving offence) are only tolerated here; having first taken a solemn oath, that they will do nothing to disturb or weaken the Protestant faith, or the Protestant Government. But how do we stand? A few nights ago, the hon. member for Louth, in speaking of the Established Church of Ireland (a Church for which I may state I have no particular affection, and which I am not here to defend, but which, as a Protestant Church, has strong claims to my support), that hon. Member said, he was "not her enemy, but, by instinct, he could not be her friend." And the hon. member for Kerry also declared, a short time since, that he "believed the Protestant faith to be false." Sir, I was friendly to Catholic Emancipation; but, hearing such extraordinary doctrines around me, I would pause, and ask, if the Legislature did wisely in admitting Roman Catholics to seats in that House. I shall not trespass further on the time of the House at this late hour, but merely to state, that I concur in the sentiments which have been expressed by my hon. friend, the member for Dundalk, on this subject, and that I shall vote against the grant to Maynooth.

Mr. *Ralph Howard* would not be led into discussion as to differences of religion, by what had fallen from the hon. Member who had just addressed the House, or the hon. and gallant member for Dundalk, and he trusted the House would feel that he was not called upon in that place to enter upon such a discussion. He would beg to remind the hon. Members, however, that he (Mr. Howard) was one of those Roman Catholic Members who voted for the grant of 21,000*l.* for the maintenance of the Presbyterian Church in Ireland, and that the hon. Member who spoke last did not hear from him, or from any person professing his religion, any abusive attacks on the faith of the Presbyterians. If the Catholics of Ireland were not taxed for the support of a Church to which they did not belong, they would not require such a paltry sum as this.

Sir *Richard Musgrave* defended the Catholic clergy from the imputations which had been cast upon them, and said, that they were, in fact, the preservers of the peace in Ireland. They were the zealous promoters of education amongst their flocks, and, in fact, no body of men could pay a more constant and diligent attention to the duties of their sacred calling than they did. On these grounds, he should give his cordial support to the Motion.

Motion agreed to.—The House resumed.

SCOTCH REFORM BILL.] On the question, that the House go into a Committee on this Bill,

Lord *Althorp* stated, that it was intended that the number of Members for Scotland should be fifty; that Peebles and Selkirk should each return a Member; that Dumbarton and Bute should each return a Member; that the eastern district of Fifeshire boroughs should return a Member, with the addition of Cupar and St. Andrew's; that Perth should return a Member, and that Peterstown should be added to the Aberdeen boroughs. He hoped that would give satisfaction to the Scotch Members.

Mr. *Kennedy* wished, as a member for Scotland, to say, that he approved of the noble Lord's amendments.

Mr. *Cumming Bruce* expressed his satisfaction at this arrangement.

House went into a Committee, blanks were filled up, and the Chairman reported progress.

HOUSE OF LORDS,

Tuesday, September 27, 1831.

MINUTES.] Bills. Received the Royal Assent; the Waterloo Bridge New Street; and the Ways and Means. Committed; the Game Acts Amendment; Administration of Justice (Ireland); Special Constables; Decrees in Equity. Read a second time; Wine Duties. Read a third time. The Bankruptcy Court.

Petitions presented. By the Duke of WELLINGTON, from the Mayor and Corporation of Queenborough, from the Resident Burgesses of that Borough, and from the Electors of the Town and Port of Seaford, against the Reform Bill. By the Duke of RICHMOND, from the Inhabitants of the Ward of Walbrook, London, to pass the Reform Bill. By the Earl of CARLISLE, from the Burgesses and Inhabitants of Morpeth, to the same effect. By the Marquis of WESTMEATH, from the Protestant Landholders of Galway, in favour of the Galway Franchise Bill. By the Marquis of WESTMINSTER, the Earl of FINGALL, and Lord CLONCURRY, from Freeholders of Moycullen; Catholic Inhabitants of Newtownsmith, and St. Nicholas Galway, to the same effect. By Lord DACRE, from Royston, Hertfordshire, and from the City of Perth, in favour of Reform. By Lord BEXLEY, from the Mayor, Aldermen, and Burgesses of Harwich, against the Reform Bill, praying to be heard by Themselves or Counsel, against their Disfranchisement. By the Marquis of LANSDOWN, from the Inhabitants of Romsey, Hampshire, and from the Weavers of Glasgow, in favour of Parliamentary Reform.

REFORM—PETITION.] Lord *Cloncurry* presented a Petition from a place in Galway, in favour of the Galway Franchise Bill. The noble Lord said, that he had another Petition to present to their Lordships, to which he begged to call their Lordships' attention. The petition was from the Lord Mayor, the nobility, gentry, and inhabitants of the city of Dublin, and it prayed their Lordships to pass the measure of Reform which was now before that House. The city of Dublin, from which this petition came, had long ranked as the second city in the British dominions; but he was sorry to say, that it had fallen from that high station, and that it had become the victim of poverty that had generated discontent and dissatisfaction. This petition had been adopted at a public meeting of the inhabitants, convened by the Lord Mayor, and several thousand signatures had been affixed to it. The city of Dublin, as well as a great part of Ireland, had been long looking forward for some measure to relieve the great distress in which that country was plunged. Some persons called for a Repeal of the Union for that purpose, but the great majority, the moderate, and the well-judging part of the population, and more especially the well educated and the industrious classes, were anxious that the measure of Reform should be passed, in order that justice might be done to their country. They hoped, that after the Reform was passed, that attention would be given to the interests and the affairs of Ireland, which, he was sorry to say, had been long withheld from them. It was their confident expectation, that when the Reform Bill was carried, their Lordships and a reformed Parliament would bring forward immediately such measures as were necessary for the salvation of Ireland, and of the empire at large.

The Petition to be laid on the Table.

ABSENCE OF THE LORD CHANCELLOR.] The Marquis of *Londonderry*, in rising to put the question of which he had given notice last night, to the Lord Chancellor, with regard to that noble Lord's absence from the House, said, that he could assure their Lordships, that nothing would have made him so presumptuous as to rise in that House for the purpose of making any observations on the Standing Orders of their Lordships, did he not feel that it was necessary to do so in consequence of what had fallen on a former evening from the noble and learned Lord on the Woolsack. He did suppose, on that occasion, that some noble and learned Peer more conversant with the Orders and the rules of that House than he was, would have stood up in his place, and have defended their Lordships against the imputations which the noble and learned Lord on the Woolsack then cast upon them. Their Lordships would recollect, that on that occasion the noble and learned Lord told them, that they were the most disorderly assembly that he had ever heard of—that several noble Lords were in the habit of getting up at once to speak—that other noble Lords would explain three or four times in the course of the same debate; and that, in fact, such was the disorder, and such was the neglect of the rules of the House, on the part of their Lordships, that it was frequently impossible that any business could be done. He, however, must assert, that since he had the honour of a seat in that House, he had never seen the noble and learned person who presided on the Woolsack rise to address their Lordships, or to state any circumstance, that an immediate deference and respect were not paid to him by all their Lordships. He would therefore say, that the noble and learned Lord on the Woolsack could at any time, owing to the deference which was properly shown to him, repress any improper or disorderly proceeding which might arise in that House. He felt that at all times, but at the present particular moment especially, it was incumbent on the noble and learned person who presided on the Woolsack, to take care that nothing should fall from him that might by any possibility be construed into a contumelious attack upon their Lordships. It was at all times the duty of that noble and learned Lord to uphold and maintain the dignity of that House, and if ever there was a time when it was the special and bounden duty of that noble and learned person to uphold the important privileges and the invaluable rights of that House, the present was that time. It was with great regret, that on the occasion to which he had already alluded, he had heard the noble and learned Lord cast such imputations on the Members of that House, and nothing but the wish not to undergo the charge of presumption prevented him from replying to the noble and learned Lord at the time. He felt it necessary, however, now to declare, that the first duty of that noble and learned person was, to attend to the service of that House. He moved yesterday, that the Standing Order, No. 3, should be read. It was not his intention now to argue the meaning or the object of that Standing Order, for they had been already sufficiently declared by the noble and learned individual who was one of the noble Lord's predecessors on the Woolsack. This, however, he would say, that if general custom, if immemorial usage, if constant habit should be taken as the best rule and guides for the conduct of a Lord Chancellor, he believed that it would be at once granted that the first duty of that high functionary was to attend to the service of that House. He would go further, and shew, that such was the opinion which the noble and learned Lord on the Woolsack himself entertained. He remembered, that when that noble and learned Lord was absent from that House some eight or ten days together, he felt it his duty to come down, and in his place in that House, to make an apology to their Lordships, and to state the reasons why he had been so absent. Nothing was said by their Lordships then, and it might be that they thought that the noble and learned Lord was perfectly right in being so long absent from that House. The fact, however, shewed that the noble and learned Lord himself thought that his first duty was to attend to the service of that House. The circumstance that had more especially induced him (the Marquis of Londonderry) to call their Lordships' attention to this matter was the absence of the noble and learned Lord from the House last night. A motion, of which he (the Marquis of Londonderry) had given notice, with regard to a portion of our foreign policy, stood for last night, and, but for the absence of the noble Lord at the head of his Majesty's Government—an absence occasioned by a lamented calamity in the noble Lord's family—that motion might have been brought forward. If such had been the case, he should have had to regret much the absence of the noble and learned Lord on the Woolsack, because that noble Lord had put himself forward as the champion of Government in all questions brought forward in that House, and had particularly interested himself in the foreign affairs of this country. He was therefore greatly surprised to find that the noble and learned Lord did not attend in his place yesterday evening, aware as he was, that such a Motion was to come on. But though that Motion was postponed, their Lordships had been occupied with a measure which was of the greatest importance to the property of the country. With regard to that measure two noble and learned Lords, Members of that House, differed from the noble and learned Lord on the Woolsack, and it would have therefore been a matter of satisfaction to their Lordships, who were anxious to discharge their duty, if that noble and learned Lord had been in his place to give his opinion on the subject. When noble Lords were anxious to do their duty—when they came down regularly day after day to that House to do their duty, and to protect the country—was it too much to expect that the noble and learned Lord should attend in his place in that House to discharge the important duty which devolved upon him? The noble and learned Lord was endowed with large emoluments for the duty which he performed, and he should bear in mind, that the first, the most important duty which he had to perform, was to attend regularly in that House. The noble Lord's excuse was, that he was prevented from attending regularly in that House, in consequence of his being obliged to attend to the business of the Court of Chancery; and it had been made a subject of boast, that the noble and learned Lord had got through a greater mass of business in that Court than those noble and learned Lords who had been his predecessors. If the noble and learned Lord conceived that any degree of eulogium attached to him for having done so, he would say, on the part of his noble and learned friend near him, that if his noble and learned friend, when he held the Great Seal, had deserted the service of that House, and had given up the whole of his time to the Court of Chancery, he would probably have done quite as much, and got through quite as much, as the noble and learned Lord on the Woolsack. He should be the last person to deny the noble and learned Lord's ability, or to attempt to depreciate the power of his talents. He would be always ready to bear testimony to the noble and learned Lord's great powers, though those powers had been frequently exerted against himself in that House. That circumstance, however, should never prevent him from doing justice to the abilities of the noble and learned Lord: he had always frankly and honestly acknowledged them. But let him tell the noble and learned Lord, that he had not been the first or the only person that had employed his days assiduously in the service of the country, when called by the King to fill the highest offices in the State. They knew that Ministers of the Crown had, before this time, fallen a sacrifice to their zealous and unwearied exertions in the public service. It could not be forgotten that such men as Canning, Castlereagh, and others, had fallen a sacrifice to their intense application to the public business of the country. He would not have the noble and learned Lord imagine, that he alone could plume himself on that point, though great merit certainly was due to the noble and learned Lord's exertions. The noble Lord, however, should not have deserted the service which was paramountly due from him to that House. His predecessors had not neglected their duty towards that House, and if the noble and learned Lord thought that he was justified in giving greater attention to his duties in the Court of Chancery for the public good, and the good of the suitors there, he begged to inform the noble Lord, that his duty towards that House should take precedence of all others. He would not deny, that the patent under which the Earl of Shaftesbury acted as their chairman enabled him to preside, in the absence of the Lord Chancellor, on the Woolsack; and there could be no objection to his doing so occasionally, provided that a due and fitting excuse were made for the absence of the Lord Chancellor, and that such a communication was made to the House, as in deference to it should be made to it, to account for that absence. He would, however, repeat, that the service which the Lord Chancellor had to discharge in that House was of a most important nature, and that it should on no account be neglected by him. He hoped that the noble and learned Lord would be able to give a satisfactory explanation as to the cause of his absence from the House last night. The very first day of their Lordships' meeting in the present session, when many noble Lords came down to be sworn, and when the noble Lord should have been in his place, the noble Lord was not there. Perhaps the noble and learned Lord had not arrived from the country at that time. These frequent instances, however, of the noble and learned Lord's absence from his duty in that House, had induced him to bring the subject under their Lordships' notice. In doing so, he exercised that right which belonged to any individual peer of that House, and his object was, to have the usual course of proceedings in that House strictly observed and adhered to. He did not imagine that their Lordships would find any difficulty, if there should be a necessity for it, in coming to a resolution that that House always required the presence of the Lord Chancellor. The presence of the noble and learned Lord was necessary to preserve order in that House; and for himself he would say, that upon all occasions when that noble and learned person declared his opinion on a point of order, he should be most ready to bow to his decision.

The *Lord Chancellor* said, that if he did not feel that there never was a charge brought against any human being who might happen to be placed in any public office, which was more entirely without foundation than that which had been preferred by the noble Marquis against him, if he did not feel, he repeated, that such was the fact, he should have experienced considerable distress in having been the occasion of a discussion that occupied so much of their Lordships' valuable time, and he should have been still more distressed, if he had done any thing that would bear the outward semblance or appearance of his having been wanting in that respect which he owed to their Lordships, or in that diligence which was indispensably required for the discharge of the important duties which devolved upon him. He felt confident, however, that when he stated a few circumstances which he was about to detail to their Lordships, their Lordships would see that there had not been any want of due respect and deference on his part, or any want of a due sense of his important duties toward that House. As to the point of diligence, he entertained no anxiety whatever on that ground. The charge against him was, that he had constantly neglected his important duties in that House—that he had absented himself from that House without any proper excuse, and that he had left their Lordships, without the benefit of the presence of the person who filled the chair of that House, to give them his advice and counsel in all matters that came before them, and to preserve due order and regularity in the course of their proceedings. He took no merit to himself other than for an ardent and diligent desire to discharge the duties of his office. He must disclaim the many compliments which the noble Marquis had been pleased to bestow upon him, for he felt himself totally undeserving of them. To the superior merits of the learned and distinguished individuals who had preceded him in the office which he now held, he was always ready, as he ought to be, to give way; but there was one point on which he would not yield even to them: he would not yield to any one, and he would not be exceeded by any one that ever preceded him in that office, in a constant and perpetual desire always earnestly and thoroughly to discharge the important duties which appertained to it. Party was, to be sure, a good thing, but it was not so when it so far blinded a noble Lord as to make him bring forward a charge against him, as if he had been, as Keeper of the Great Seal, idle and negligent, and as if he had not attended to the due discharge of the duties of his office. That such a charge should have been preferred against him was indeed a most extraordinary thing, and it only showed how much further the spirit of party carried men than he, reasoning *à priori*, supposed was possible. Judging from the manner in which the charge was received by that side of the House from which the noble Lord spoke, he supposed he was to assume, that in bringing forward this charge, the noble Lord only spoke for the noble Lords on the Opposition benches [*no, no.*] He was to assume, then, that the noble Marquis, in bringing forward this charge, merely spoke for himself, and with the noble Marquis alone, therefore, he had to do on this occasion. He would not complain that there had been any thing discourteous in the manner in which the noble Marquis had introduced this matter. There was no discourtesy whatever in the manner in which the noble Marquis had brought it forward. The noble Marquis was perfectly justified in calling him to account, if he supposed that he had been in fault; but he was sure, that before he sat down, he should satisfy their Lordships, and he should be much disappointed if he did not succeed in satisfying the noble Marquis himself, that there was no foundation whatever for the charge which the noble Marquis had thought fit to prefer against him. It would appear from the remarks which had fallen from the noble Marquis, as if he (the Lord Chancellor), with a view to get rid of the arrear of business which was before him, had entirely neglected the service which he owed to that House, and had given all his time and attention to the Court of Chancery. Now, he was the last person in the world to detract from the merits of the exalted and illustrious individuals, Members of that House, who had preceded him in the office which he now held. It was only a few days ago that he had expressed his sense of the great and superior merits which those noble and learned Lords had displayed while the duties of that office were confided to their care, and he would now add, that if they had left him an arrear of cases, they had left him also the means of getting rid of them, by leaving him a body of wisdom and learning in decisions which fixed upon an imperishable basis the law of the Court of Chancery, and left him little to do but to act upon the principles which they had laid down and established. He was ready to acknowledge that obligation to the eminent individuals who had held the Great Seal before him. From the manner in which the noble Marquis had spoken of his attempts to get through the arrears of the Court of Chancery, a stranger would be led to imagine, that he had made a boast of the matter, though the idea had never once crossed his mind, nor had a word to that effect escaped his lips. The noble Marquis said, that he had been enabled to do what he had done, by giving the hours which were due to that House to the suitors in the Court of Chancery. Now the fact was, that the Chancery suitors had benefitted at the expense of their Lordships to the amount only of six or eight hours at the utmost. He remembered that he was absent from that House during one whole week, including Wednesday and Saturday, but he was not absent on that occasion without notice. He came down to the House and told their Lordships of his intention; he asked leave, in fact, to be absent for that week, and he stated his reasons for asking it. Amongst those reasons he mentioned that he was anxious to go through all the business which remained in the Court of Chancery, before he proceeded to sit and hear appeals in that House. He recollected that on that occasion, the noble and learned Earl on the bench below him, stated it as his opinion that the first and paramount duty of the individual who held the Great Seal was to attend in the House of Lords. That noble Earl certainly said so then, and it would probably be recollected by their Lordships, that he did not differ from the opinion of the noble and learned Earl. He recollected, however, that that noble Earl had given another opinion to a learned predecessor of his in his present office. He heard with his own ears the noble Earl give that opinion, and on looking since into the reports of the Debate on that occasion, he found his recollection of what the noble Earl then said fully confirmed and established. The noble Earl on that occasion said, that the noble and learned Lord on the Woolsack should always bear this in mind, and should never let it escape from it, that his constant and his principal duty was to sit in the Court of Chancery. It might be supposed that these were irreconcileable propositions, but they were not so, for as the one did not mean that the Lord Chancellor, in the right performance of his duty, should give up the Court of Chancery for the House of Lords, neither did the other mean that the Keeper of the Great Seal should desert the House of Lords for the purpose of attending solely to his duties in the Court of Chancery. Therefore, while he assented to the noble and learned Earl's first proposition, that the paramount duty of the Chancellor was to attend to the service of that House, he also fully agreed with him in the opinion which he had expressed, that the Lord Chancellor should never forget that his principal duty was to sit in the Court of Chancery. In the absence of the Lord Chancellor, other noble Lords could officiate as Deputy Speakers of that House; but the Court of Chancery must be shut up if the Lord Chancellor did not sit there. The office which the Lord Chancellor held there combined two distinct species of duties, and he was sure that his noble and learned friend who had expressed the opinions to which he had referred, would not deny that the paramount duty of the Lord Chancellor was to attend to the Court of Chancery as often as that House would allow him. It was true that for six or eight days he (the Lord Chancellor) had been absent from that House, attending to his duties in the Court of Chancery. But he had given notice, as he had said already, of that absence, and there was nothing of importance for the consideration of their Lordships that week. He remembered that throughout that week the House did not sit any evening beyond an hour or an hour and a-half, and that it was always up between six and seven o'clock. It was true that on each of those days he could have adjourned the Court of Chancery at a quarter before five o'clock—have come down to that House and have resumed his sitting in Chancery after the House rose. It was true that he could have done that, at the inconvenience of postponing his dinner till twelve or one o'clock in the morning. He had, in fact, done so on several occasions, but, though he was not possessed of a very weak constitution, he soon found that there would be a very quick termination to his labours if he continued such a practice. By remaining absent, however, from the House for the six or eight days he had already mentioned, he had been enabled to get entirely through the arrears in the Court of Chancery. He had sat without intermission in that Court from the 22nd of November. He had done so without intermission from that period, and, with the exception of the short absence already stated, he had also attended to his duties in that House. The noble Marquis appeared to imagine, that on the first day of the Session, when the ceremony of swearing their Lordships commenced, that his (the Lord Chancellor's) absence on that occasion was caused by his being in the country. He could assure him that he was at that moment sitting in the Court of Chancery, and he was sure that he should stand excused with their Lordships for not leaving an important and expensive cause which he was then hearing, and coming over to that House at twelve o'clock on that day, for the purpose of hearing their Lordships sworn—a ceremony that could quite as well be performed in his absence. With the exception of the week at Easter, there had been no intermission in his sittings in the Court of Chancery. He, in fact, gave up one week at Easter, which he might have otherwise spent in the country, to the Court of Chancery, for the purpose of disposing of fifteen heavy appeals. He sat on Good Friday, and on Easter Monday, when almost all other persons were resting from their labours and enjoying the vacation. He was the first Chancellor that ever sat on that day, and he was the first Chancellor that had ever sat on Easter Saturday and Easter Monday, since the institution of the office. He claimed no merit for all this, he sought no praise for doing so, and it was only mere justice to himself that compelled him to state the fact. In performing his duty in the Court of Chancery, he had uniformly acted upon the maxim—"Take care of the minutes, and the hours will take care of themselves." Acting up to that maxim, he had made it his constant practice to take his seat in the Court as the clock was striking ten, and he continued to sit there until eleven or twelve o'clock at night. He attended to every thing that was said there—he endeavoured to get acquainted with the case before him as quickly as he could—to shorten as much as possible the discussions with regard to it; and, in fact, to go through it with as much rapidity as he could. That was the way in which he endeavoured to despatch the business of his Court. He had never had the idea, however, nor had he ever said a word that could, by any possibility, be construed into the idea, of setting himself above, or even on a level with, his learned predecessors, except in diligence, and in that quality he would not be surpassed by any of them. The noble Marquis said, that noble Lords came down each day to that House to do their duty, and that it was hard if the Lord Chancellor would not also attend there to discharge his duty. It was quite true, that the noble Marquis, and other noble Lords, after the relaxation of the day, came down there to discharge their duty in the evening—they came down to hear the nightingale in the evening—but it should be recollected that he (the Lord Chancellor) had been up hearing the raven in the morning. He was sitting every day from ten o'clock till five in that House hearing appeals, and it was not therefore to be expected, seeing that he had no breathing time at all, that he should come to the evening song quite as fresh as other Members of that House, who came down to it from less laborious occupations. It should not be forgotten, too, that after the public business of the House was over, he resumed the hearing of appeals up to nine o'clock at night. Such had been the course of his proceedings, and whatever the noble Marquis might think of it, this he knew, that the Bar did not complain of it. On one day he had sat in that House from ten in the morning until nine at night, and had disposed of three cases after the public business of their Lordships for that day had been concluded. He mentioned that circumstance to show that he was as anxious to attend to his services in that House as to the Court of Chancery. He had now the great satisfaction of being enabled to inform their Lordships, that, so far from neglecting that House for the Court of Chancery, he had got rid of the appeals in the House of Lords. He had got rid of all but one or two. There were three cases which had been entered since the 14th of June—that was to say, since the beginning of the present Session. He had got rid of the whole of the arrears; and there were now only two cases (not counting the three he had mentioned)—only two substantial cases—remaining to be heard out of all those which had been fully entered for hearing in their Lordships' House on the first day of this present Session of this present Parliament. He could not say, therefore, that there were any arrears at all at present. He meant to go through the remaining Scotch appeals which had been set down for hearing since the commencement of the Session. They amounted to fourteen, and after he had disposed of them, for which he feared he should have abundant time, he would then proceed to the English and Irish appeals, which were less numerous. He did not like to take them at present, as it would be necessary to consult the Judges with regard to them; and as it would not be convenient to call for the opinion of those learned persons during the vacation, he should let those appeals stand over. So much then for his neglect of the judicial business of that House. The noble Marquis had complained of his absence from the House last evening. He sat in that House from Saturday morning till the evening of that day, and he disposed of an important case at that sitting. And here he should state, that for the last ten days he had been affected by a serious illness. Yet, if he had been well, what better could he have done? If the noble Marquis had been present in the House any time during the last week, while he (the Lord Chancellor) was hearing appeals, he would have seen, that he had been obliged to take a quantity of medicine. He suffered extremely from an inveterate cough, which was at all times distressing enough, and especially to persons arrived at his period of life. He found that all the draughts which he took did him no good, and the consequence was, that he had it in his mind to go for a few days into the country, in order to prepare himself for the discussions and labours of the approaching week: and he would have gone to the north for the recovery of his health, but for the kind and delicate invitation which he had received from a quarter to which he might not more particularly allude, and which enabled him to spend two days in the country for that purpose. He took advantage of that kind offer, and though he had previously suffered from incessant coughing for hours together, he could assure the noble Marquis that he was now perfectly recovered, and that, in fact, he had never been better in his life than he was at this moment. He would resume his sittings to-morrow at ten o'clock, and would go on during the week. He would do the same next week, notwithstanding the Reform debate. He would be down every morning to hear appeals, though that debate might be very long and very wearisome. The noble Marquis complained of his having been absent last night when an important motion was to come on relative to our foreign policy. The fact was, that being aware on Saturday of the calamity which had occurred in the family of his noble friend at the head of the Government, he knew that his noble friend would not attend last night, and he felt equally certain that the noble Marquis would, in consequence of his noble friend's absence, put off his motion, as in fact he had done. He therefore took advantage of two entire days in the country, and he hoped that that was a satisfactory explanation as to his absence last night. He wished to have it distinctly understood, that his absence was not on account of illness; but he had been induced to state the fact to their Lordships from the respect he bore that House. It did not appear to him, on referring to the Standing Order, that any Chancellor was imperatively expected to be in attendance there. According to the wording of the Order, the Keeper of the Great Seal was to attend in "ordinary,"

—a form of expression which certainly, according to his power of interpreting the vernacular language, seemed in itself to contemplate the occurrence of absence. When it did happen that the Chancellor was not present, the House might then proceed to choose a Deputy Speaker, provided such an officer had not been appointed by the Crown. But there were the Lord Chief Justice of the Court of King's Bench and another noble friend of his, who were authorized to fill that office. The House had been already indebted to the Lord Chief Justice for hearing causes in Spring. When the sittings of that noble and learned Lord's own Court had terminated, and the pressure of business was over, he preferred remaining in town to assist in the operations of another Court, to retiring to the country for recreation. His noble friend was unlike the generality of men, who were disposed to regard pleasure as their business; with him business was pleasure. He thought he should be able to show to their Lordships, that the absence of a Lord Chancellor, and the appointment of a Deputy Speaker by the House, was not an unprecedented circumstance. On turning over the pages of their Lordships' Journals, he found that, in 1797, the House was informed of the Lord Chancellor's absence, and not only of his absence, but of that of the Deputy Speakers also. The House then (no reason being given for the absence of these officers) proceeded to choose a Speaker; and on whom did the choice fall? Not upon a law Lord, but upon no other than the Duke of Portland, and the business on hand was not of trifling moment—it was nothing less than the prorogation of Parliament. From these facts which he had taken leave to lay before their Lordships, he trusted it would appear that his conduct was not utterly without excuse. He begged their Lordships' pardon if, by any act of his, he had occasioned inconvenience to the House, but he had been impressed by the conviction, that he best testified his duty to that House, for whose honour and privileges he entertained the most inviolate and profound respect, by bestowing his best, his most conscientious attention on the business of his office.

The Earl of *Eldon* said, it was necessary that the Speaker or his deputy should attend, in order to protect the prerogative of the Crown, but still the House, if both were absent had the power to appoint a Speaker, and this showed that there might be times at which the Chancellor might be absent, and also that his Deputy might be occasionally absent, and there might sometimes be good reason for their being both absent. But the rule had been, that when the Lord Chancellor was absent, one of the most eminent Judges at the head of the Courts in Westminster Hall should be appointed Speaker. Lord Shaftesbury was a very good Speaker, and that noble Earl knew how highly he respected him. But considering what important questions of law might arise in the course of the discussions in that House, and what an immense amount of property might be involved in them, it was of the highest importance that the Lord Chancellor, or some other eminent Judge at the head of some of the Courts at Westminster, should sit as Judge. As for himself, he had not been able to get rid of the arrear of appeals in that House; but then he never recollected the House sitting until the month of October, and this year the Session had commenced in June, or at the beginning of July. He had used all the exertions in his power to bring up the arrear of appeals that the forms of the House at that time allowed him. And then, after all that had been said about the delays in the Court of Chancery, he was not the person who ought to be blamed for them. In consequence of the appointment of the Vice-Chancellor, he had been withdrawn from the Court of Chancery for three days in the week, in order to attend that House, and it was impossible to dispose of as much business in three days as in six. The rule as to this House was, that the Speaker might be absent if he had a good and sufficient excuse for not attending; but in the times of his predecessors, the invariable usage was, that the Speaker was never absent without stating to the Deputy Speaker that he was to be absent, and the reason for that absence. Last night there was a most important Bill — the Pluralities' Bill — before the House, to which a noble and learned friend of his (Lord Wynford), not now present, had stated unanswerable objections, to which no reply had been given; and it was of the highest importance that the Lord Chancellor should have been present on that occasion, for if he had confessed that the objections were unanswerable the Bill might not have passed. He thought, that after the explanation which they had heard from the noble and learned Lord, they ought to put an end to the present conversation; but he should certainly not let the next Session pass away without submitting to their Lordships a motion the better to provide against the inconvenience complained of.

Lord *Holland* would trespass a moment on the attention of the House, although he felt that there was no question before it, for it was impossible to entertain any doubt respecting the conduct of the noble and learned Lord, who was the admiration of the country, and who, in particular, was entitled to the gratitude of their Lordships. How could that noble and learned Lord's duties be better done than in furthering the ends of justice in the kingdom? Was he not more usefully occupied in devoting the evening hour to the prayers of anxious suitors, than in occupying a place on the Woolsack, when their Lordships were considering matters of no pressing or especial importance at their Table? There was no question before the House, for the noble Earl had concluded his speech without a motion, whereby they might know the Contents from the Not-contents; yet he would crave leave to trace the history of the Standing Order referred to on the occasion. That Order was framed under extraordinary circumstances, and he much doubted whether it ought to be on their Journals at all. It was framed in the year 1660; and he was far from being certain that the House, previous to that date, acknowledged the Lord Keeper's right to take his seat as their Speaker. The right of nominating a Speaker had been contested by that House with the Crown; and the Standing Order was a compromise between them. He would refer to the documents of the period for the purpose of setting the matter clearly before their Lordships. [The noble Lord then proceeded to read from the Journals of the House the report of the 6th of June, 1660, on the question of the right of the Peers to choose their Speaker.] From those historical records it was clear, that the Standing Order did not make it obligatory on the Chancellor to attend in that House. The Keeper of the Great Seal, according to the Constitution, was no more the legal adviser of their Lordships than any other Peer of Parliament, and he would oppose the reception of such an opinion. It went to throw the judicature of the House into the hands of an individual, and not the collective body. The case of a Chancellor had been cited, who, it was alleged, was censured for absence, although his excuse was attendance on the King. This was the case of the Earl of Macclesfield, but the authority quoted was not that of the House, but the language of a protest—a protest emanating from a violent faction in times remarkable for the bitterness of party spirit. He confessed that this quotation from a protest had tickled his vanity no little, for he had been a great protester in his day—greater than the noble and learned Lord, and had every respect for the symbols of conscientious opposition. This act of the noble and learned Lord, by which he placed the language of dissentients above the authority of the House, had not only tickled his vanity—had not only surprised him extremely — but he had been induced to hail it as an auspicious omen of their future and more momentous proceedings. But the attempts of a faction had failed against the Earl of Macclesfield; and with respect to the conduct of the noble and learned Lord on the Woolsack, he would contend, that, neither according to the spirit of the Constitution, nor the provisions of the order of the House, could any blame be attached to it.

The Marquis of *Londonderry* did not mean to impugn the talent of the noble and learned Lord, nor to question the propriety of the mode in which he spent his time; but he still was of opinion that the Order on their Lordships' Journals should either be enforced or expunged. He felt that he was but discharging his duty as a Member of that House, in establishing the point, whether it was imperative on the noble and learned Lord to be in attendance or not.

HOUSE OF COMMONS,

Tuesday, September 27, 1831.

Minutes.] Bill brought in. By Mr. Spring Rice, to amend so much of an Act for the Management of the Customs as allow certain Fees to be taken by Officers of the Customs.

Kildare Street Society (Ireland).] Lord *Castlereagh* presented a Petition in favour of the grant to the Kildare Street Society, from the town of Glenarns. He took that opportunity to assure the House, that a very strong feeling of dissatisfaction pervaded that part of Ireland with which he was connected, at the course which the Government had determined to pursue with regard to this Society. This feeling was general in the province of Ulster. The Protestants ought not to suffer because they were the smaller number; it was most unwise to legislate for one part of a people. He feared that the measures of Government would alienate the industry, wealth, and intelligence of Ireland from this country, to which they had hitherto looked up for countenance and support.

Mr. *Ruthven* said, that the objects of the Society had failed, and many of its principal Members had seceded, after finding that its system did not work well.

Mr. *Dominick Browne* said, that Irish Members would give their support to the Reform Bill, whether the Government made grants to the Kildare Street Society or to the College of Maynooth.

Mr. *O'Connell* said, that Government had done but tardy justice to the Catholics of Ireland; but, though tardy, he was not surprised that the violent partisans on the other side felt more and more irritated as this justice was evinced.

Sir *Robert Bateson* thought, that what fell from the Catholics in that House looked very like the beginning of a new Catholic ascendancy.

Colonel *Sibthorp* deprecated all allusion to religious opinions in that House, and the continuance of such discussion as that.

Petition to lie on the Table.

Reform (Scotland.)] Mr. *Robert A. Dundas* presented a Petition from the Lord Provost and Magistrates of Edinburgh, being trustees of landed property, purchased by a legacy which had been devised for charitable purposes, complaining that the Reform Bill, by destroying superiorities, which they had hitherto sold, would take away their property. He contended, that superiorities were private property, and ought not to be taken away without compensation. The petitioners also prayed that they might be heard by counsel at the bar, and receive compensation.

Mr. *Pringle* supported the prayer of the petition, and deprecated the language which had formerly been used by the Lord Advocate.

Mr. *John Campbell* blushed for his native country. To the honour of England, it ought to be stated, that not one demand for compensation had been made by any one of the proprietors of rotten boroughs which had been annihilated by this Bill. He was therefore sorry to find, that it was left for Scotland to ask compensation for the loss of that which she ought never to have had. No property would be taken away by this Bill from these Trustees, for the superiority would still remain unimpaired. The property would remain; but the right of voting attached to it would be taken away.

Mr. *Dixon* said, that the hon. and learned member for Stafford was misleading English Members, when he instituted a comparison between the rotten boroughs of England and the superiorities of Scotland. Did he mean to say, that the right of voting attached to a superiority was illegal? Superiorities might be legally sold—would the hon. and learned Gentleman say the same of a rotten borough?

Mr. *Gillon* was surprised at the extraordinary language held by the hon. member for Glasgow. In his opinion, the holders of superiorities had no more claim to compensation than the holders of rotten boroughs. He had heard with pleasure the declaration of the Lord Advocate, that he intended by his bill to destroy every rag and tatter of the abominable system of Scotch elections.

Sir *Edward Sugden* said, that the burgage tenures of England were quite as much legal property as the superiorities of Scotland, and yet the holders of burgage tenures had never put forth any claim to compensation, because much as they disapproved of the English Reform Bill, they felt that private advantage ought to give way to the public good. He was much surprised to hear so stanch a Reformer as the hon. member for Glasgow plead for compensation for the holders of Scotch superiorities. He (Sir E. Sugden) would never consent to give to the holders of Scotch superiorities that which had not even been asked for by the English holders of burgage tenures.

Mr. *Kennedy* contended, that the petitioners would lose no property by this Bill. They could not vote themselves on this superiority, but they could sell the right of voting on it to others; and it was only right that they should be deprived of that pecuniary advantage which others obtained from political jobbing.

Mr. *Robert A. Dundas*, in moving that this petition be referred to the Committee on the Scotch Reform Bill, took occasion to observe, that the petitioners, in bringing forward this petition, were influenced by public and not by private and selfish considerations.

Lord *Stormont* begged to remind the hon. and learned member for Stafford, that though the borough of Old Sarum might be legally sold, the right of voting for members for Old Sarum could not be legally sold. Now, superiorities were sold, and sold daily by auction, in pursuance of processes issuing out of the Courts of Law in Scotland. The hon. and learned Gentleman, therefore, knew nothing about the right of voting in Scotland, however well he might be acquainted with the right of voting in Stafford.

Mr. *John Campbell:* The right of voting for Old Sarum is in the burgage tenures of Old Sarum; and a burgage tenure may be sold by auction quite as legally as a Scotch superiority.

Sir *Charles Forbes* said, if any jobbing had taken place it was on the part of his Majesty's Ministers and the Lord Advocate in the Reform Bill. Ministers had demolished the English Constitution, they had plundered the English people, and now they were going to do the same thing with the people of Scotland. By the Scotch Bill, the freeholders of that country would be deprived of more than 2,000,000*l.* sterling, on account of losing the superiorities attached to the freeholds. The subject was one of vast importance, and he wished it to meet with the serious attention of the House. He was surprised to hear the assertion of the hon. and learned member for St. Mawes (Sir E. B. Sugden) as to the Scotch superiorities, considering the manner in which he had been returned for Weymouth. He trusted that the Legislature would not inflict upon Scotland the Reform Bill now promulgated. The people of that country, he could assure the House, did not desire it—they did not wish for Reform. It would be a great curse to that country, which had flourished with the present system, and was now proceeding prosperously, to have the tenantry made politicians. Instead of attending to their rural occupations, cheerfully and contented, as was the case at present, they would lose their valuable time in going to elections, and engaging in political matters. He would, however, endeavour to prevent the evils of that description from being introduced among his tenantry, for he would not have one voter under the Bill if possible. He would let leases—supposing seven years was the qualification—for six years and eleven months; and his tenants who had a house rented at a certain sum, should have them a few shillings lower—an arrangement, he apprehended, to which they could have no objection. He begged to tell the learned Lord, that he would set this Bill at defiance. The excitement about Reform had subsided, and he begged to recommend the learned Lord to adopt some measures before another election to prevent a repetition of the scenes which had so disgraced the country at the last.

Sir *Edward Sugden* assured the last speaker that he had not made any attack upon the Scotch superiorities: he had only compared them to the burgage tenures of England. As to the burgage tenures of Weymouth, he knew not what they had to do with the matter now under debate. He could, however, assure the hon. Member that there were a great many freeholders in Weymouth, holders of large property, who were unconnected with burgage tenures.

Sir *Robert Inglis* was of opinion, that those who had purchased superiorities for the purpose of exercising the elective franchise were entitled to compensation. An action would lie for the recovery of the purchase money of a superiority; and from that it was obvious they were as much property as any thing else. He also was of opinion that the English boroughs which were to be disfranchised were entitled to compensation; there was a precedent for it in the 1,200,000*l.* given to the proprietors of Irish boroughs abolished at the Union. That the borough proprietors of England had not demanded that compensation to which they were of right entitled, was owing to the system of terrorism which had prevailed ever since this Bill was introduced. The petitioners in this case, instead of asking too much, had asked for much less than they had a right to claim.

Petition referred to the Committee.

Call of the House.] Mr. *O'Connell* rose to move that his Motion, for the Call of the House, be postponed till Monday. He should have contented himself with simply making that Motion, but he understood his Motion was to be opposed. Individuals complained; but was he not right to take measures to ensure a full House, when the Irish Reform Bill was to be postponed till October 8th? It was not to be read a second time till after the Scotch Bill was completed. Gentlemen complained of being kept in town by his motion—but for what were they kept in town? To do their duty. The subject was of vital importance to Ireland. The subject was the amendment of the Representation; all other matters were mere details, which might be attended to or neglected without any very serious consequences; but correcting the Representation was a vital matter. Even those Gentlemen who were opposed to Reform must desire that the question should now be settled, and that the plan should not again require altering. He, therefore, felt it his duty to use all the constitutional means in his power to secure a full and complete attendance of the House. He did not mean to keep the Order inconveniently suspended over the heads of the Members of the House, and he therefore now gave notice of his intention to postpone the Call until Monday, the 10th of October. At that time he should either enforce the Order, or move that it be discharged, as he might see fit from the nature of the attendance. The uniform neglect with which all business respecting Ireland was treated in that House required such a step on his part on the present occasion; and the more so, as the Irish Members had attended so regularly to secure the success of the English Reform Bill. He moved therefore, that the present Order be now discharged, and that a fresh Order for a Call of the House be issued for next Monday week, the 10th of October.

Sir *Richard Vyvyan* said, if he wanted a reason for opposing this, it was to be found in the speech of the member for Kerry. Whenever the name of Ireland was mentioned, that Member took an opportunity of speaking to his countrymen, through that House, and complaining that their interests were neglected. He appealed to the House if this was fair and just. No part of the empire received so much of the attention of that House as Ireland. No man in the House spoke so often as the hon. member for Kerry; but he seemed to think that every vestry squabble in that country was a fit subject for the interference of the Imperial Legislature. If the hon. Member's wishes were to be consulted, 365 days of sitting would not be sufficient for the affairs of Ireland itself. He believed that Ireland had more than a fair proportion of the attention of the House; and feeling that there was great inconvenience in this unnecessary suspension of a Call over the heads of the Members, he moved, as an Amendment, that the Order be discharged absolutely. The hon. Member might renew it at some other time if he thought proper.

Sir *John Newport* said, that the cause of the great pressure of Irish business was the long mismanagement which had unhappily been allowed to prevail there, which rendered many legislative changes indispensably necessary to its present quiet and future welfare. Yet, at the moment when a question of paramount importance with respect to that country was coming on, the member for Oakhampton (Sir R. Vyvyan) wished the hon. Member to discharge the Order for a Call, that the Members of the House might be at liberty to go and amuse themselves, and take their pleasure in the country. He hoped the member for Kerry (Mr. O'Connell) would persevere, and not abandon the Order.

Mr. *Cutlar Fergusson* would support the motion of the hon. member for Kerry, who was not in fault as to the postponement of this Call, because he could not know that the second reading of the Irish Reform Bill would be postponed, and it was necessary to give full notice, in order to have a full attendance. The hon. Member was, however, most unjust in saying that Irish affairs were not attended to, for every proper attention was given to them. As to the objection that the Scotch Bill came before the Irish Bill, he, as a Scotchman, would have no objection to give the precedence to the Irish Bill.

Mr. *Hunt* said, half the time of the House was occupied with Irish affairs. What was the object of the member for Kerry making such imputations as he did, or why not have a Call for Scotland as well as Ireland? He repelled with indignation the attack of the member for Kerry on the Members of that House. That hon. Member seemed to think that no voices should have any weight in that House unless they sat for counties. As to the attack on the hon. Baronet (Sir R. Vyvyan) it came badly from the hon. member for Kerry, who was never yet returned twice for any place—neither was be present at the division on the Scotch Reform Bill the other night. He hoped and trusted the House would not be dragooned by the hon. Member, and concluded by asking, was the British House of Commons to bow to the hon. Member, once for Clare, once for Waterford, and now for Kerry?

General *Palmer* rose to support the Motion, and had also a personal reason for it. Having hitherto failed in his endeavours to be heard upon the question of Reform, he was still anxious to do it whilst the attendance of Members justified the attempt, and encouraged him to make it; inasmuch as the view he had taken of the question was different from all who had risen in the Debate. He confidently hoped (notwithstanding the speeches of the right hon. Baronet upon the Bill which had passed the House) to show the necessity for it, in a light to satisfy the minds of all who were open to conviction on the subject. And as, in what he had to say, if allowed the opportunity, he should spare the House the repetition of any argument already urged in the debate, he hoped it would be considered a claim to its indulgence, and an earnest that he would trespass as shortly on its time as the deep importance of the question would allow him.

Colonel *Sibthorp* said, he hoped his hon. friend (Sir R. Vyvyan) would persevere, as the hon. member for Kerry had followed his usual course of throwing imputations upon other hon. Gentlemen. He felt, however, that he did not come under his lash, as he had been constant in his attendance, and intended to continue so, and would be as ready to oppose the Irish, as he had been the English Reform Bill. He did not think there was any occasion for the Call, for he was sure Members would be constant in their attendance, without any other obligation than their duty to their country.

Lord *Althorp* thought, that the hon. member for Kerry, in anticipating opposition to his Motion, had gone rather too far. The experience of many years enabled him to give a decided contradiction to the assertion, that the affairs of Ireland were not attended to in that House. The Catholic Question had been brought forward by Mr. Fox and Sir Francis Burdett, and, on all other occasions, English Members were ever ready to advocate the cause of Ireland. The hon. and learned member for Kerry had not pursued the course most likely to ensure a large attendance by his speech to-night. As to the question before the House, the postponement of the Call was no more than what constantly occurred in the case of election ballots, which hung over from day to day, and the hon. member for Kerry was not to be blamed for the course he had adopted. It was most essential that there should be a full attendance of Members on the question of the Irish Reform Bill, and he should feel most reluctant to oppose any motion with such an object. It was the duty of Members to attend on all occasions; but that did not always occur, and the season of the year might, perhaps, render a Call more necessary. If, however, there was a full attendance, probably the hon. Member might not persevere in his Call.

Sir *Robert Peel* said, that the most painful thing in any discussion that arose was, that whenever Ireland was mentioned, it led to angry altercation. He wished that the time had arrived when all subjects of the State would feel they had but one country. If there were any part of the empire in which injuries were especially felt by England, Ireland was that part. As to postponing the Irish to the Scotch Bill, where was the offence to Ireland? None, no more than it was an offence to Scotland not to have a Call on the Bill for that country. The hon. Member was not to blame for the postponement of the Call, but five or six postponements made it highly inconvenient. He should vote for the Amendment if it were pressed to a division; at the same time, if it were to be considered an offence to the feelings of the people of Ireland, he should regret such an occurrence.

Mr. *Sheil* contended, that the postponements of the Order for the Call of the House were not at all attributable to the hon. and learned member for Kerry, but to the measures of Government. The Irish Members had hitherto given a persevering and undivided attention, and they had a right to expect the same from others when the affairs of that country were under consideration.

Mr. *Henry Grattan* said, the Irish Members had been instructed by their constituents to press upon the Imperial Parliament the condition of their country, and the necessity for an additional number of Representatives for that part of the empire. He therefore hoped, whether there was to be a Call of the House or not, the English Members would make a point of attending when the Irish Reform Bill was before the House, that they might fulfil their obligations, and that they would all consider themselves as Members for one common country.

Sir *Charles Forbes* said, he should support the motion of the hon. member for Kerry, for he at all times desired to see a full attendance of Members; but, with regard to the precedence of the Scotch Reform Bill, he should insist upon the right of Scotland to stand next to England, and would not allow any thing that the hon. and learned Member could say, to convince him that Ireland ought to be thrust in between two countries that stood in such direct juxta-position. The Irish, therefore, had no reason to be dissatisfied.

Mr. *O'Connell*, in answer to the member for Preston, stated, that he had choice of three counties at the last election, and decided for his native county of Kerry. This was entirely owing to the opinion which his countrymen entertained of him, for they knew his honesty, they were sensible of his candour, and they were aware that double-dealing was not amongst his habits. He had never, like the member for Preston, spoken on one side and voted on another; for the Ultra-Tories had got the benefit of his speeches, though they lost his votes, and he wished them joy of their bargain. He did not mean to contend, that the postponement of the Irish Bill was a slight to Ireland, but there could be no doubt that it was an injury to her interests, which he considered a still more serious ground of complaint. But when he was told that Englishmen had brought forward the Catholic Question—it was easy to say that Mr. Fox had brought that question forward, but it was convenient to forget other circumstances of Mr. Fox's conduct with respect to it. It was convenient to forget, that two years after his having brought it forward, Mr. Fox entered into office under an agreement with George 3rd, that he was not to bring forward that question while in office. Talk to him of English justice, when he had the fact now before him, that a Motion for a Call of the House, which was never resisted on any former occasion, was now opposed by the hon. Member (Sir R. Vyvyan), when he saw those crowded benches ready to support that opposition, because the question was only an Irish question. Was that justice or fairness? Whatever might be the fate of his Motion, he should feel that he had performed his duty. The country should know how that duty had been performed, and how it was met in that House.

Sir *Richard Vyvyan* said, that the hon. Member should not have the satisfaction, which he seemed to desire, of making a complaint that his Call was put off. He should have the Call on the day which he had named for it, for he (Sir Richard Vyvyan) would withdraw his opposition to it. The hon. and learned Member, who wished to bear down that House, would find that Englishmen, and Scotchmen, and Irishmen, would not allow themselves to be borne down by him, or be driven from their purpose by any course which that hon. and learned Member might please to take. The hon. and learned Member stated that in which he was not borne out by the fact, when he asserted that Englishmen were negligent of matters which related to Ireland. On all matters of importance, affecting the interest of that country, Englishmen attended with as much desire to benefit that country as the hon. and learned Member, or any others who joined in opinion with him. These kind of charges, therefore, about want of justice on the part of Englishmen, were without foundation.

Mr. *Hume* said, that the charge of the hon. Baronet, the member for Oakhampton, that his hon. friend, the member for Kerry, wished to bear down the House, was most unjust and unfounded [*cries of "No, no."*] He repeated that it was. The course taken by his hon. and learned friend was perfectly justifiable. He postponed his Call, because the second reading of the Bill to which it applied, was also postponed. What other course could he have adopted? The conduct of the hon. Baronet, and those who supported him on this occasion, was such as he had seldom witnessed—and such as, in his opinion, was unbecoming English gentlemen [*"No, no," and "Order."*] He would assert that it was—it was at least unbecoming English legislators. He had seen such opposition to his hon. and learned friend as he thought wholly unbecoming hon. Members, sitting as a legislative body. Was it not natural that his hon. friend should resent such conduct, and speak of it in the manner it deserved? If hon. Members wished to be treated as English gentlemen, let them behave as English gentlemen [" *Order*."]

The *Speaker*: It must be obvious to the hon. Member himself, that such an imputation as his language conveyed was quite out of order.

Mr. *Hume* repeated, that the conduct of several hon. Members to his hon. and learned friend (the member for Kerry) was altogether indecent and unbecoming them as legislators. Such opposition was most unfair, and his hon. friend was justified in complaining of it as he had done.

Sir *Richard Vyvyan* wished to ask the hon. member for Middlesex, whether he accused him of acting in a manner unbecoming an English gentleman.

Mr. *Hume* spoke of the hon. Baronet's conduct as a legislator ["*No, no*."] He believed he had used the words "English gentleman," but he did not mean it as personally offensive, for he had no wish to hurt the feelings of any man, but he had good reason to complain of the conduct of several hon. Members to his hon. and learned friend, who was perfectly right in the course he had adopted. He had a right to defer his motion for a Call of the House, as the business to which it referred was also postponed. He was perfectly right to take the opportunity of speaking out the wishes of his countrymen. It was what they expected of him. He (Mr. Hume) should be extremely sorry to find that Irishmen should have reason to complain, that a different measure of justice was dealt out to them from that which had been dealt out to other parts of the United Kingdom. If any such impression existed in the mind of his hon. and learned friend, he was right to seek the opportunity of stating what were his opinions, and those of his countrymen, as to parts of the Bill, in as large an assembly of the Members of the House as possible; and, therefore, he did right to move the Call of the House, in which he hoped he would persevere.

Lord *Althorp* wished to correct a mistake into which the hon. and learned member for Kerry had fallen with respect to Mr. Fox. The hon. and learned Member stated, that Mr. Fox had taken office under a pledge or agreement with George 3rd that he would not bring on the Catholic Question during his Administration. Now this was not the fact. On the contrary, it was well known that Mr. Fox and his friends went out of office in 1807, because they found they could not carry the Catholic Question.

Question put, and ordered, that the House be called over on the 10th of October.

FRANCE—BELGIUM—GREECE.] Sir *Richard Vyvyan* rose to call the attention of the noble Viscount (Palmerston) to a subject connected with the present state of Belgium, and to ask a question concerning it. The House was aware that the affairs of Belgium had now arrived at that state at which they might congratulate his Majesty's Government on having obtained that which he had no doubt they would obtain by a firm perseverance—on having obtained from those at the head of the government of France a promise that the whole of the French troops should be withdrawn from Belgium. This was, in his opinion, a most important point gained, and he congratulated Ministers upon it. But he had been given to understand, that an arrangement had lately been entered into between the governments of France and Belgium, by which officers of high rank and great reputation in the French armies were to be allowed to enter the Belgian service, and to take the chief command of her armies under the King, and to be placed at the head of the several divisions of the army in different parts of the kingdom. Now it was well known, that the troops of one country, officered by the subjects of another, were, generally speaking, under the control of that country to which the officers belonged. This was the case with the native troops in India, which were all officered by British officers.

Lord *Althorp* rose to order. He would beg to remind the hon. Baronet, that there was no question before the House, and that it certainly was, to say the least of it, an inconvenient course to enter into discussions, as the hon. Baronet was now doing, on putting a question to a member of his Majesty's Government. As there was no question before the House, he would venture to suggest to the hon. Baronet, that any questions he had to put, he ought to put with convenient brevity.

Sir *Richard Vyvyan* claimed the indulgence of the House, while he put the questions he was about to ask, in that way which appeared to him the best to have his object understood. He repeated, that it must be obvious, that an army so officered as that he had mentioned, must be under the control of that country to which the officers belonged. The question which he wished to put to the noble Lord was, whether it was correct that such an arrangement as he had mentioned had been made between France and Belgium, and whether that arrangement had become the subject of any communications between the governments of France and of this country? Another question which he wished to ask related to the present condition of Greece. He understood that disturbances had recently broken out in several parts of that country, which made its internal condition as unsettled as when the war was carried on there between the Turks and the Greeks. What he wished to know was, whether the three Powers who had taken an active part in settling the affairs of that country, had made any arrangement as to the future government of Greece, or as to who should be placed at the head of its government?

Viscount *Palmerston* would not then enter into any discussion on a subject which the hon. Baronet had himself voluntarily postponed yesterday. As to the first question which the hon. Baronet had put, he must again throw himself on the indulgence of the House, when he stated, that he ought not to be called upon to answer questions as to the arrangements which an independent sovereign, whom we had acknowledged, might think proper to adopt with respect to his own army, or to the defence of his country. He must, therefore, decline answering the hon. Baronet's first question. As to the second question, respecting the state of Greece, he would admit that accounts had reached this country of the occurrence of some unfortunate events in Greece; but he trusted that they were only temporary derangements, and that by this time they were at an end. The conference of the three Powers was still continued, for the purpose of making arrangements by which the tranquillity of that country might be restored and placed on a permanent basis.

Case of John Leary.] Mr. *O'Connell* rose to submit the motion of which he had given notice, for the production of any correspondence which took place between Baron Pennefather and the Irish Government on the subject of the conviction and sentence of John Leary, at the late Special Commission at Cork. The hon. and learned Gentleman stated, that Leary, who was a small farmer, was accused, with three or four others of a conspiracy to murder. He was tried separately, and found guilty and sentenced to death, without any hope being held out of any mitigation of his sentence. On the next day one of the conspirators was tried on the same evidence, but the Jury could not come to an agreement as to the verdict, and were at length discharged without giving any. The two others were afterwards tried, and though the Jury were, he might say, selected by Government, there having been no less than forty-seven Jurors challenged by the Crown before the twelve were sworn, they acquitted them without leaving the box. The prisoner about whom the Jury could not agree was tried at the following assizes and also acquitted. On this Leary was respited, and at length his sentence was commuted to transportation for life, though the Judge before whom he was tried had made two or three communications to Government on his behalf. Now it appeared to him that this prisoner's case was extremely hard. His alleged fellow conspirators were all acquitted by the breaking down of the chief witness against them. Had that event taken place on the trial of Leary, he also would have been acquitted. Or had he had the good luck to be tried second or third, he would now be at home with his family instead of being under sentence of transportation for life and sent to New South Wales. What he contended was, that if the Government believed the evidence against the man sufficient, they ought not to have mitigated his sentence; but if they did not believe it, he was entitled to a full acquittal from all punishment. In order to let the House see what was the opinion of the Judge who tried him as to his case, he now moved for the production of the correspondence between that learned Judge and the Irish Government on the subject.

Mr. Callaghan seconded the Motion.

Mr. *Stanley* said, that this was not the first time this subject had been brought forward by the hon. and learned Member, though now for a very different object from the former occasion. On that occasion he had moved for the production of the Judge's notes of the trial, which the

House refused, on the same ground on which he (Mr. Stanley) now objected to this Motion—that the House was not the proper place for the introduction of such a question, as a sort of Court of Appeal from the decision of a Court of Justice. The breaking down of the chief witness against Leary and the others was not from any contradiction in his testimony, but from the mention of a fact—an important one, he admitted—which he had omitted to state in his original depositions, and which did not come out till after the trial of Leary; but a most respectable Jury afterwards convicted two men on the testimony of the same witness.

Mr. *O'Connell* said, the men who were thus convicted were not for the same offence of which Leary was accused. They were accused of firing at a Magistrate in his carriage, with intent to kill him, and the fact was put beyond doubt. The charge against Leary was quite a different thing.

Lord *Althorp* objected to the Motion. He thought it would be a dangerous precedent that the communications of Judges respecting the case of prisoners should be submitted to Parliament.

Sir *Charles Wetherell* also objected to the Motion, on the same grounds as the noble Lord. The communications of Judges as to any case before them must be founded on their notes, and the same objections would lie to the production of those communications as to the production of the notes themselves.

Mr. *Jephson* would have felt satisfied if the Government had undertaken to investigate this affair; but, as the case stood, he must support the Motion.

Mr. *Crampton* objected to the disclosure of confidential communications, and contended, that even if the House were to agree to the production of the papers called for, the object of the Mover would not be obtained.

Mr. *Callaghan* supported the Motion. The objections made to it were altogether of a technical nature.

Mr. *Henry Grattan* maintained that the papers moved for were of a public and not a private nature.

Mr. *Daniel Whittle Harvey* concurred in the observations which had been made respecting the general inconvenience of making that House a place of appeal from a Court of Justice; but he thought that a case like the present, in which so many attestations of innocence had been made, formed an exception to the general rule.

Mr. *Hume* supported the Motion.

Mr. *Stanley* said, that those hon. Members who spoke in favour of the Motion, proceeded on two assumptions,—that John Leary was innocent, and that no investigation had been made into his case. Now the fact was, that the late Government went into a full investigation of his case, and came to the conclusion that that person was guilty. Whether his own opinion on this matter coincided in every particular with that of the late Government he would not say, but he thought the present mode of proceeding improper. After what had occurred he should certainly again investigate the papers, and if he could come at any additional facts, he should feel it his duty to take the opinions of the law officers of the Crown upon them.

Mr. *O'Connell* thought, that after the promise made by the Secretary for Ireland to investigate the case, there was no use in pressing the subject. The hon. and learned Gentleman withdrew his Motion.

Case of the Deacles.] Mr. *Paulett Mildmay* said, he had a Petition to present upon this subject, signed by a number of the most respectable persons in Winchester and its neighbourhood. The petitioners were not bound to Mr. Bingham Baring by any political ties, nor were they at all under his influence, many of them having been opposed to him at the last election. The petitioners prayed for an investigation into the circumstances of this case, and they declared their belief that Mr. Bingham Baring was guiltless of the things that had been laid to his charge. The petition had been signed, in the course of forty-eight hours (Sunday intervening) by no less than 360 persons, who expressed their gratitude to the Magistrates, whose decision of conduct had last winter relieved them from the continuance of those dreadful disorders that were at that time committed. They expressed their earnest wish that one of these Magistrates should be cleared from those unfounded calumnies that had been directed against him. People were now ready enough to forget the feelings with which they had once been agitated, and he knew that it was not very flattering to their pride to remind them of those feelings, and of the fears that then perplexed and disturbed them; but he felt it his duty to remind them of these things. He called on them to remember the taunts that were then directed against the magistracy for supineness—to remember that his Majesty had called on them to display energy, decision, and resolution—and that his Majesty's Ministers had appealed to them to perform their duty, and threatened them, that if they did not, they must expect to incur his Majesty's displeasure. The Magistrates had done their duty; they had interfered effectually, but their services were now forgotten. The Judges who went on the Special Commission praised them for their conduct: even prayers were offered up, thanking Providence for the interference which had saved the people at that time. He presented this Petition because he was anxious, with the petitioners, to relieve a sensitive and manly mind from that state of suspense which every honourable man must feel to be most painful.

The Petition was read as follows:

"To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled;

"The Humble Petition of the undersigned Inhabitant Householders of the City and Suburbs of Winchester, and of the Gentry, Clergy, and Yeomanry residing in the immediate neighbourhood thereof,

"Showeth—That your Petitioners have read with feelings of indignation the allegations which are contained in the Petition presented to your Honourable House on the 22nd of August last by Thomas and Caroline Deacle, of Marwell Farm, in the vicinity of this City.

"That the statements made in the said Petition appear to your Petitioners to contain such gross misrepresentations, as to render it necessary for your Petitioners to express to your Honourable House the opinion which is entertained in this city and neighbourhood relative to the conduct of the individuals against whom such injurious statements have been thus artfully and maliciously sent forth.

"That your Petitioners have noticed with deep regret the Petitions which have recently been presented to your honourable House from distant parts of the country on behalf of the said Thomas and Caroline Deacle; not on account of the inquiry which is sought by such Petitions, but because your Petitioners feel convinced that they have been sent up to your honourable House under the erroneous impressions which the statements contained in the Petitions of the said Thomas and Caroline Deacle were evidently intended to produce in remote parts of the country, where the real facts of the case are unknown, and where the characters of the several parties are not duly appreciated.

"That your Petitioners take the earliest opportunity of recording their opinion, and expressing to your honourable House the very strong feelings which prevail in this city and neighbourhood as to the calumnies which have been thus industriously propagated against Messrs. Francis and Bingham Baring, and other Magistrates of this county, to whose active, judicious, and unwearied exertions, your Petitioners conceive they are, in a great measure, indebted for the restoration of the public peace in November last—a period when this county was in a state of unparalleled excitement and too well grounded alarm, and when, it should be remembered, it was, in almost every instance, found impracticable to procure the due execution of the Magistrates' warrants without the aid of military.

"That several of your Petitioners were present at the trial which took place in this city at the last Assizes, and witnessed with unfeigned regret the situation in which the Messrs. Baring were unavoidably placed, in consequence of the only individuals of whose testimony they could have availed themselves having been made co-defendants, obviously, as appeared to your Petitioners, for the sole purpose of excluding their evidence, and exposing the Messrs. Baring to the overcharged statements of the two individuals, on whose evidence a verdict was returned against Mr. Bingham Baring alone.

"That should your honourable House see fit to order an investigation into the facts of the case, your Petitioners would hail with satisfaction a proceeding so well calculated to elicit the truth, and to place the characters of the several parties in their proper light. And your Petitioners desire further to express their conviction, that a full exposure of the real circumstances of the case would render the same feelings which exist in this city and its vicinity, as to the conduct of the Messrs. Baring, generally prevalent throughout the country at large."

Colonel *Evans* said, he had to present a Petition with the same prayer, from Tonbridge, in Kent; but declaring a very different opinion on the subject. He would only now observe, that as indulgence was asked to be shown to the conduct of the Magistrates, on account of the excitement that existed in November last, he thought an equal degree of indulgence ought to be shown to the poor people who had engaged in these riots, on account of the severe distress that drove them to commit these offences.

Mr. *Hume* only wished to say, that he seemed to have been guilty of some injustice to the persons whose petition he had presented when he did not have that read, and yet, when he suffered the petition just now presented to be read to the House. He must say, that that reading, and the statement of its contents, were against the understanding that there should be no discussion previous to that upon the appointment of a Committee. He would only add, that the Petition he presented was signed by 246 persons in six hours.

Mr. *Paulett Mildmay* said, he had not entered into the case at all, but merely stated the feelings and wishes of the petitioners.

Mr. *Baring* admitted that it had been agreed there should be no discussion, but there was no agreement that the petitions presented should not be read at length. The petition presented by the hon. member for Middlesex, was said to come from Winchester, but he, (Mr. Baring) having carefully read it over, was at a loss to believe it was sent to that House by the inhabitants of that city, for he asserted most distinctly, that the petitioners committed the most marked mistakes in their statement of the circumstances of the case. They stated in distinct terms, that Mr. Walter Long, a Magistrate, had put the handcuffs on Deacle, when the fact was, that that gentleman not only had not done so, but actually was not present at the time of the transaction, having been otherwise engaged in a part of the county several miles distant from the place where the whole affair took place. He wished the hon. Member had read the Petition before he presented it, if he wished, as he professed to do, that justice should be done to the parties concerned. The petition now presented by the hon. member for Winchester, was signed by all the people of the first respectability in the place—by the merchants, bankers, the clergy, and all the persons connected with the college there, while he would defy any one to say, that there were more than six respectable shopkeepers among those who had signed that presented by the hon. member for Middlesex.

Mr. *Hume* said, he was not bound to answer for the situation in life of the persons who signed the petition: he believed them to be respectable.

Colonel *Evans* said, that if the statement of the hon. member for Thetford were correct, it only showed that the farmers signed the petition in favour of their brother-farmers, while the gentry and clergy signed the one in favour of a Magistrate.

Sir *Thomas Baring* asserted, that the petition now before the House in favour of Mr. Bingham Baring, was signed by persons of all classes, and particularly by a number of the yeomen of the county, persons, precisely in the same rank and sphere of life as Mr. Deacle: it could not, therefore, be regarded in the light in which the hon. and gallant Officer was pleased to place it.

Sir *Charles Wetherell* saw affixed to the petition which had been just presented, the signatures of clergymen and professional men, many of them his friends, who would not have come forward but at the call of justice. Therefore, he thought that the gallant Colonel had made a most censorious and unjust charge, in drawing the distinction which he had done. He seemed to suppose that the gentlemen who had signed this petition, had done so on account of the rank of Mr. Baring; but he was certain that they would not take such a course with respect to Mr. Baring, or any other person. If the gallant Colonel withdrew the sentiment, there was an end of the matter; if not, the gallant Colonel had made a most unjust and unfeeling observation on persons of the highest honour.

Colonel *Evans* said, all he had asserted was, that as the petitioners, in the present instance, moved in the rank of the accused, they were likely to have a bias in favour of them, while those who signed the other petition, and moved in a different rank, would probably be more favourable to the complaining parties.

Colonel *Trench* asserted, that this was only a repetition of the imputation to which his hon. and learned friend objected. The petition presented on behalf of the Deacles, was well drawn up, by a clever and skilful hand, and calculated to raise a great prejudice against the Magistrate whose conduct was in question. He hoped that in the inquiry upon this subject, the character of the persons concerned, and the character of those who signed the petition, would be borne in mind: they had on one side, a petition signed by persons of the highest worth and respectability, and on the other, a petition containing the representation of Mr. and Mrs. Deacle, whose character, he hoped, would be thoroughly examined when the matter came before a Committee. He believed that the whole would be found to be a conspiracy, not so much to inflict injury on the person against whom it professed to aim, but on one of the most liberal, most enlightened, able, and excellent men in that House, or in the country. He believed that through the son, it was intended to inflict a wound upon the father.

Colonel *Evans* wished to ask, to whom the gallant Colonel alluded, when he used the word conspiracy.

Colonel *Trench* said, certainly not to the gallant Colonel, who had stated, and stated truly, that he had no connection with the matter, except so far as his public duty as a Member of that House went. He was not bound to say to whom he did allude, and he did not wish to do so, as the persons to whom he might allude, had not the power to reply to what a Member said in his place in that House.

Mr. *Hunt* said, he had no doubt that there was a gross and foul conspiracy,—a conspiracy against an unoffending man and woman. He was of opinion that grosser, fouler, or more unfounded charges, were never made against any man or woman in this country.

Mr. *Baring*, with respect to what had been said as to the signatures of the farmers and of gentlemen, wished to observe, that the petition presented by the hon. member for Winchester had been shewn to the farmers assembled there at a dinner on the market-day, and that they signed it without an exception.

Petition laid on the Table.

Mr. *Hunt* said, he should not trouble the House with the pedigree of the petitioners whose names were subscribed to that which he held in his hand. He would just say, by way of illustration, he would warrant one fact—that, though it was upon the same subject as the last petition, it was signed neither by a Mayor, a Magistrate, nor a Clergyman. It was the petition of the Western Branch of the great Northern Union of the working classes of the metropolis, held at the Bazaar coffee-shop, in Castle-street, Oxford-market. The subscribers designated the petition as that of the petitioners on behalf of the Union.

Sir *Charles Wetherell* objected to the petition being received, on account of the irregularity of the manner in which it was signed. It did not appear whether the parties signing formed a portion of the meeting at which the petition was agreed to.

The *Speaker* observed, the practice was against the petition being received, because it was not shown, or even stated by the petitioners, that they were part of that body whose representations or complaint they made to the House. They acknowledged they petitioned on behalf of the Union, not stating they were members of the Union. Finally, it was a maxim in the Common-law, that they, as an Union, not being a Corporation, could not have been empowered to sign for any others of that Union but themselves.

Mr. *Hunt* merely observed, that it was very respectfully worded, and only joined in the prayer of both the former petitions that an inquiry should be instituted. Under the advice of so high an authority, however, he should be ruled by former precedents.

Petition withdrawn.

Mr. *Hume* presented petitions from High Wycombe, in Bucks, and from Louth, in the county of Lincoln, praying for an inquiry into the case of Mr. and Mrs. Deacle; and a petition from Thomas and Caroline Deacle, stating their case, and praying for redress.

Mr. *O'Connell* said, he had received a communication which led him to think that it would be extremely desirable for the ends of justice to postpone the motion of which an honourable and gallant Member had given notice, relative to the case of Mr. and Mrs. Deacle. He would therefore beg leave to suggest, to the hon. and gallant Officer, to postpone his motion for the present.

Colonel *Evans* said, that although he had fully intended to bring forward his motion to-night, still he had no objection to postpone it, if the hon. and learned member for Kerry was prepared to show that the ends of justice would be impeded by its being brought forward at present.

Mr. *O'Connell* said, that the parties having originally understood that a Committee was to be moved for, had since learned, that it was to be opposed by the Government, and it was to show that an inquiry ought to be granted that they now wished the matter to be postponed. The documents which he had seen, satisfied him that the parties were entitled to have an opportunity of making out their case.

Lord *Althorp* said, that he, as an individual Member, had no particular objection to the motion being postponed, if the hon. and gallant Member felt it right to do so; but he thought that postponing it, unless a strong case of necessity were made out, would not be fair justice to the parties against whom the charges were made.

Mr. *John Campbell* said, it was known when the matter was before the House on a former occasion, that the motion for a Committee was to be postponed; and, consequently, the parties had had ample time to prepare their case. He therefore saw no good reason for a postponement now.

Mr. *O'Connell* observed, that this was a question which might be brought before the House in various shapes—for instance, by motions for the production of documents. But it was extremely desirable that there should be but one discussion upon it. The question was one of vast importance in every point of view. It was important to know whether England was to be transferred to Ireland, and whether the same system of magistracy was to be introduced in this country as prevailed in Ireland—which, he hoped, would never be the case. Under the circumstances of the case, he advised the gallant and learned Member, not to make his motion at present.

Mr. *Baring* said, that whatever the learned member for Kerry might say of justice, what he now proposed was the grossest piece of injustice that could be done; and it was impossible for him to listen to the manner in which it was propounded, without being convinced that there did exist a conspiracy to oppress and to do a cruel injustice to an individual. He very well understood the threat conveyed by the manner and gestures of the learned Member, and was aware that he was at his mercy, or that of any other man who would choose to get up petitions from the dregs of the community, for the purpose of vilifying him, and slandering the character of his relatives. But he should be quite confident in appealing from the candour of the hon. and learned Member to the honour and feeling of a body of gentlemen—If the hon. and gallant Member should refuse to go on with his motion, he (Mr. Baring) would immediately submit one to the House. Although the learned Member might bring forward his calumnies day after day, and make himself the tool of this vile and dirty conspiracy, he (Mr. Baring) would make a motion, that under the difficulties of the case, the House should go on with the present inquiry, and he would not hereafter, condescend to answer any calumnies which might be uttered. He felt deeply on this subject, and hoped he should be excused if he had used any strong expressions. But if any hon. Member had a charge to bring forward, let him bring it forward fairly and manfully, and not advance it one day, and postpone it the next, for no other purpose than to create excitement and hostility.

Mr. *O'Connell* said, that having been assailed, he hoped the House would allow him to defend himself. Having been assailed by the hon. Member in a more brutal manner than he had ever been assailed in that House [" *Order*," " *Chair*."]

Sir *Robert Inglis* rose to order, and begged that the Speaker would have the kindness to state whether it was allowable for any Member of that House to address an hon. Member as having assailed him in what he termed a brutal manner.

Mr. *O'Connell* said, he had used the word hastily.

Sir *Robert Inglis* said, if the hon. Member apologised.—

Mr. *O'Connell* said, he did apologise at once. He had no hesitation in doing so. He had never meant what the word would imply—[The Speaker resumed his seat.] He had not identified himself with this transaction but as a Member of that House, having been called upon by the British subjects who alleged that a woman had been handcuffed—that a verdict had been returned against those who had been parties to that act—that the rich—the exceedingly rich—were in that House—and that the assailed had nobody to stand by them, because the wealth, the power, and the station of their oppressors would bear them down. When these persons demanded an advocate in that House, if they had not a zealous one before, they had one zealous now, and he told the hon. Member, that the people of England should have an investigation. The hypocritical pretence — if such a one there had been—of looking for an investigation and at the same time crushing it by other means, should not continue. Conspiracy? What had he to do with your English conspiracies? He had been more assailed than any man that ever lived, and he could bear it patiently. He could bear even the self-exultation which shone upon him now. He would now suggest to his excellent friend to bring on his motion, that the House might see whether the feeling which was professed was real. Let them have an investigation, and see whether it would be followed by an acquittal, which, notwithstanding all that had happened, he hoped might be the case. Let them see if now the inquiry would be resisted. If it were, he should know what to do.

Colonel *Evans* said, that he felt he must, under the circumstances, bring forward his motion. But he must first observe, that the moderation with which he had treated the subject was not fairly reurned by the violent—as he must call it—and unprovoked language which was ndulged in by some hon. Members. He eally did not see that the hon. member for Kerry had said anything which called for the attack that had been made upon him. The word "conspiracy" had been used in the discussions, in a most unsparing and a most unwarrantable manner. What! because Members presented petitions from the people, was it to be said that they went about raking up petitions from low persons through the country? He considered such language an insult, and while he held a seat in that House he would not silently suffer it to be applied to him. The hon. and gallant Member then referred to the particulars of the case, reading from the *Morning Herald* a passage from the speech of the learned Judge upon the trial, condemning the unnecessary coercion applied to Mrs. Deacle, and also adverting to a letter, published by Mr. Bingham Baring, which, he said, had induced him to bring the matter before the House, as he conceived that letter to amount to an admission of the charges made against him. The former debate had taken such a turn that it was impossible for him not to take a further step in the matter, upon being applied to by Mr. and Mrs. Deacle to do so. The arguments used were not defensive, but criminatory. Then, as now, the imputation of conspiracy was freely thrown out. It was evident that if a conspiracy existed, the witnesses on the trial must have been perjured, and the Judge must have abandoned his duty. When a question of this nature was made the ground of imputations of which no tribunal in the country could take cognizance, he hoped the House would, for the sake of its own character, if not that of the magistracy, see the necessity of instituting an inquiry. If it were urged that that House had no right to inquire into the conduct of the Magistracy, he would reply by referring to the opinion of the noble Lord now at the Head of the Home Department, who, in 1819, declared himself in favour of an inquiry into the conduct of the Magistrates at Manchester. He would also mention the case of Mr. Kenrick, in 1825 and 1826. The hon. member for Thetford then took a very different course from that which he now pursued. The Government did not, on that occasion, object to the inquiry which was sought for, but raised some difficulties as to certain papers, and the hon. member for Thetford said, that their doing so would almost lead to a suspicion that they meant to screen the individual. The hon. Gentleman concluded by moving for the appointment of a Select Committee to inquire into the allegations contained in the petitions of Mr. and Mrs. Deacle, respecting the conduct of the Magistracy of Winchester.

Mr. *Lefevre* thought, that the minds of the public would never be satisfied until the charges of the petitioners against his hon. friends should have been investigated by a Committee of that House. It was impossible that the conduct of those Magistrates could be justified otherwise than by showing what was the state of the country at the time of the transactions respecting which the petitioners complained. He admitted that there was one part of the conduct attributed to his hon. friends, which nothing could justify but resistance on the part of the persons arrested; he meant the handcuffing of Mrs. Deacle. But, after a careful examination of all the conflicting testimony that had been brought forward on the subject, it was his entire conviction, that that proceeding was the act of the constable himself, without any instructions or authority from Mr. Francis or Mr. Bingham Baring. Upon the whole, he thought that the public had dealt unfairly with his hon. friends, in giving to Mr. and Mrs. Deacle the benefit of their acquittal at the Assizes, and refusing to allow to Mr. Francis Baring the benefit of his actual acquittal in the action for damages, or to Mr. B. Baring the benefit of his virtual acquittal, for such the verdict of merely nominal damages must be considered. He thought, that under all the circumstances, the House ought to give his hon. friends an opportunity of setting themselves right with the public, by the investigation of a Select Committee; and he should, therefore, second the Motion.

Lord *Althorp* said, that when, on a former evening, he stated his intention to oppose the motion of his hon. and gallant friend (Colonel Evans), he did so with considerable reluctance, because he thought it probable that his taking that course might prejudice the parties accused. He felt so much doubt as to the course which he ought to take, that he had consulted others, for whose judgment he had much deference; and upon the best consideration, he had come to this conclusion, that it would not be consistent with his duty to vote for the Committee. He pledged his honour that he had come to that determination without any communication with the hon. member for Thetford. He made that assertion upon his honour as a Gentleman. He opposed the motion with great unwillingness, because he had a high esteem for the hon. member for Portsmouth (Mr. Francis Baring), and it gave him pain to do anything which might have the effect of preventing that Gentleman from setting himself right in the estimation of the public. But considering the nature of the investigation for which the Committee was required, and how little it was likely to give satisfaction to the public, he felt that it was inexpedient to go into it. As to Mr. and Mrs. Deacle, they had had their option to proceed against the Magistrates, either by a criminal information or by an action for damages, and they chose the latter course. Upon the trial it was proved that acts attributed to Mr. Francis Baring had been done by Mr. Bingham Baring, and that the former Gentleman, instead of having acted with harshness, had treated the petitioners with great humanity. But in the petition which it was now proposed to refer to a Committee the whole weight of the imputations was thrown upon Mr. Francis Baring, contrary to the evidence given upon the trial. That appeared to him to be a good reason to believe that the accusations against Mr. Francis Baring were wholly unfounded. If the persons accused were not Members of that House, would it be said that the House ought to inquire into their conduct by a Select Committee? Were every such complaint against every individual Magistrate to be brought before that House, and tried by a tribunal, the decision of which, as every Gentleman must know, would not give satisfaction, for many people out of doors would suppose that the Committee could not be impartial? He hoped and trusted, therefore, that some other means of arriving at the truth of those transactions would be found. As to the case referred to by the gallant Member behind him (Colonel Evans), in which the conduct of Magistrates was proposed to be made the subject of inquiry by a Committee of the House, he had himself certainly moved for the Committee on that occasion. But there was no parallel between the present case and that. The transaction in Manchester was one of such magnitude, such enormity, and the conduct of the Magistrates appeared to him to be so unjustifiable, as to call for an investigation by a Committee of the whole House. In the case of the petitioners, the conduct blamed was that only of an individual Magistrate; and, therefore, not thinking that a Select Committee was a proper tribunal before which that conduct should be tried, he felt bound to oppose the Motion.

Lord *Ebrington* felt great regret at being obliged to oppose the Motion; and the more so, as he had had a communication that day with Mr. Bingham Baring, who was most desirous that the inquiry should be gone into. But he did not think that any person who had not been convinced by the clear and satisfactory statement of his hon. friend, the member for Portsmouth, would be convinced by the evidence taken before a Committee, especially as that evidence would not be given upon oath. If all questions like the present were to undergo an investigation before a Select Committee, every hon. Member must perceive, that the greatest inconvenience would be the consequence. He, therefore, felt it to be a matter of public duty to oppose the Motion.

Mr. *Hume* had hoped, when the noble Lord (the Chancellor of the Exchequer) pointed out the difficulty of meeting the wishes of the petitioners and of the accused Magistrates, by investigating the subject in a Select Committee, that the noble Lord would not have concluded without pointing out the course by which a satisfactory conclusion could be arrived at. It was not for the sake of Mr. and Mrs. Deacle that he so much desired that the whole of those transactions should be inquired into, but for the satisfaction of the public, in whose minds there was a strong impression that in this case justice had not been done. He admitted that the statements of the two parties were very much at variance, but there were no allegations of either party which were not open to proof. In presenting petitions upon that subject, when it was first mentioned in the House, he had been satisfied to wait until he should see whether a satisfactory inquiry could be had in the Courts of Justice. But as that had not been the case, he could not see the justice of refusing the fair inquiry which was called for by both parties. He could not allow himself to be set down as one of a conspiracy for the course which he had thought it his duty to follow, and he would assure the hon. member for Thetford, that it was not his practice, as that hon. Gentleman had asserted, to bring up petitions from the dregs of society without regard to truth. He was sure that the hon. Gentleman had been betrayed into those expressions by the irritation of the moment, and that he would take the first opportunity of retracting them. When the petition which he (Mr. Hume) had that evening presented was put into his hands, his first inquiry was, whether the allegations contained in it were capable of proof? He was answered that they were capable of proof; and more, that the proof was at that moment ready to be produced. In that petition the Magistrates were charged, not only with unjustifiable harshness, but with subornation. He did not see in what way injury could be done by the inquiry which was demanded; and he thought that when the noble Lord (Lord Althorp) opposed the Committee, he ought to have been prepared to suggest a better means of inquiry. As the noble Lord had not done so, then he was driven to adopt the next best mode of coming at the truth which he could obtain. If his Majesty's Ministers were desirous to maintain the character of the magistracy, they ought themselves to be the first to go into the inquiry. It was not the character of the Messrs. Baring alone that was involved, but that of the whole magistracy of Hampshire; and although the question had not been made personal, and Mr. Bingham Baring was one of the accused, yet he was not the only one accused. There was one fact which had not been denied; that a female had been handcuffed without any appearance of resistance to excuse such harshness; but if the allegations were wholly groundless, he thought that when they had made such an impression upon the public mind, it was incumbent upon his Majesty's Ministers to go into the inquiry for the satisfaction of the public.

The *Attorney General* thought, that the House must have been gratified by the tone of moderation in which the hon. member for Middlesex had supported the Motion, and must feel that the excuse which he had found for the hon. member for Thetford was creditable to himself. As to the proposed inquiry, he (the Attorney General) thought that it must turn, not altogether upon the allegations of the petition, but in a great degree upon the state of the country at the time when those transactions took place. It was to be considered that at that time no man could feel himself safe, and that depositions (whether true or false) had been made, deeply implicating Mr. and Mrs. Deacle in the proceedings of the rioters. An hon. Member behind him had censured Mr. Justice Taunton (who presided at the trial) for censuring the conduct of the Magistrates in attending to see their warrant executed. Certainly, in ordinary times, it was better that Magistrates should leave the execution of their warrants to the constable; but in a time of such great excitement and danger, he (the Attorney General) could not concur with the learned Judge in censuring the Magistrates for taking the trouble to see that the warrants were executed, and that the constable was not interrupted in his duty. He considered a Committee of that House a tribunal the least calculated that could be devised for attaining the ends of justice in the present case. The persons arrested under such circumstances were acquitted at the Assizes, and they proceeded by action against the Magistrates. The trial then took place; or, in other words, the Jury having thought that the assault against Mrs. Deacle was made out, gave such damages as they thought would meet the case. These proceedings having taken place, he really could not see why that House ought to be turned into a Court of Appeal. It was said, he knew, that both parties were desirous that a further investigation should take place; but, as far as he was able to foresee, he thought that neither side could gain any thing by such an event. It was also said that there were precedents to justify such an interference on the part of the House of Commons; but he must confess that those which had already been mentioned did not appear to him to bear any resemblance to that which was now before them for consideration. With respect to the Manchester case, that was very different. What had taken place there was on a very large scale; besides which, the yeomanry were thanked by the Government for what they had done, which circumstance, of itself, rendered it imperative on those who thought that the yeomanry had misconducted themselves, to bring forward a specific motion on the subject in that House, and to demand that inquiry should take place. The case of Mr. Kenrick, which had also been mentioned, appeared to him to differ materially from that of Mr. and Mrs. Deacle; for in the former, though it was a Magistrate that was implicated, it ought also to be remembered, that he was likewise a Welsh Judge, and that there was no mode of getting him removed from that office in the event of misconduct but by an Address to the Crown. Another argument that had been made use of in favour of an inquiry in this case was, that it had made a great impression on the public mind, and that it ought, therefore, to be publicly investigated; but that impression appeared to him to be now rapidly subsiding; and he thought that inquiry, therefore, so far from doing good, would only give rise to still further excitement, at a time when, if left to itself, it would entirely disappear. Taking all the circumstances of the case into consideration, he must contend, that no ground had been made out for taking this inquiry out of the hands of a Court of Justice. It appeared to him that to do so would be giving a premium for bringing forward a succession of such charges as these. If this attack upon Mr. Deacle had taken place during times of ordinary peace and tranquillity, it would, perhaps, have been advisable to have investigated the question; but, when they remembered in what agitated and excited times these circumstances had taken place, he thought, that to institute such proceedings would be putting an undue check upon the vigilance and activity of Magistrates.

Mr. *Daniel Whittle Harvey* was surprised at the course adopted by his Majesty's Ministers upon this occasion. He wondered how they could consent to allow a case of this importance, affecting, as it did, the conduct and character of the magistracy generally, to pass without notice and without inquiry. It was impressed strongly on his mind, that those who were accused of misconduct in this case had, on the first mention of it to the House, invited hon. Members to suspend their judgment until they had taken legal measures to challenge that verdict, of which the effect was, to strengthen the imputation which the inquiry at the trial raised against them. He also recollected the statement made by an hon. and learned Gentleman, who had been professionally engaged in these transactions, and who, in commenting on the trial, had asserted, that the defendants were taken by surprise, by the turn of that trial, and by the evidence produced against them. He had likewise not forgotten the declaration of the hon. member for Portsmouth, that they intended to move for a new trial as soon as the Courts were re-opened in Westminster Hall. Now, however, it turned out, that the defendants did not intend to venture upon any further judicial proceedings. He did not find fault with them for adopting that resolution. No doubt they had been ably and judiciously advised. He agreed with the hon. member for Hampshire, that considering the opulence of Mr. Bingham Baring, the verdict on the trial at Winchester was a mere nominal verdict. He supposed, therefore, that his legal adviser had told him, either that that verdict would operate in his favour as an acquittal with the public, or that he was very lucky in gaining a verdict with such small damages, and in having it tried in Hampshire, where his influence was so great, instead of having it tried in some county where he must have met the plaintiff on a footing of greater equality. He would not conceal from the House, that after all the statements which had been made by the opposite party, it was his opinion that Mr. and Mrs. Deacle, and all their witnesses, had been most shamefully calumniated in that House. An hon. and learned Gentleman, who had once filled a high legal situation, had even gone so far as to say, that he had no doubt that all the witnesses had perjured themselves. It was not enough when the defendants in a cause met with defenders of the first rank and importance in that House, and were fortified against all attacks by a family of Representatives ready to come forward at any moment in their behalf—it was not enough, it appeared, that they should have the benefit of such a defence, but they must also have every assistance which could be afforded them by charging the Jury with partiality, and by accusing the witnesses of perjury. But, in his opinion, Mr. and Mrs. Deacle had little to do with the grave question which was then before the House. That was evidently the opinion of his hon. and gallant friend, for he had submitted their case to the consideration of the House long before he received any petition from them. His hon. and gallant friend, on reading the newspaper report of the trial, and the strong remarks made on it by the Press, determined to bring it before the House on his own responsibility. It was not until hon. Members had discharged the fire of their artillery upon these individuals, who were unknown in that House, and without any relations, friends, or political associates to defend them—it was not until their characters had been whispered away, and their witnesses had been traduced as guilty of perjury, and the Jury which gave them a nominal compensation had been charged with partiality—that Mr. and Mrs. Deacle felt themselves called upon to make, in their petition, a full disclosure of the injury which they alleged that they had suffered. He had read their petition through with great attention. He would not say what credit he was inclined to give to the statements which it contained; he would only say, that they appeared at least to require investigation. Still the case was not, as he said before, a mere case between Mr. Bingham Baring and Mr. and Mrs. Deacle; but it was a grave case between the magistracy and the unprotected people of England; for it had been gravely stated, that not only Mr. and Mrs. Deacle, but also 200 or 300 of the peasantry of Hampshire had been carried hand-cuffed to prison. Indeed, it had been gravely argued, that no hardship had been suffered by Mr. and Mrs. Deacle in this respect, inasmuch as it had been suffered by so many others. For his own part, and in this respect, he would say, that as Mr. Deacle was a gentleman of rank and education, the defendants had a right to take some credit to themselves for having administered the laws with impartiality, for it appeared they had hand-cuffed both the rich and the poor, the gentleman and the labourer, without the slightest distinction of rank. He was surprised to hear that it was a matter of trivial importance that the magistracy of England—hereafter to be an irresponsible magistracy, if such oppression as this were to remain unnoticed—should possess the power of placing irons on the wrists of unoffending individuals, who, when brought to trial, were proved to be not guilty. He contended that by law the magistracy possessed no such power: he contended that, even where parties were guilty, it was contrary to the law and Constitution of England, both in practice and in theory, to subject them to this iron degradation, unless they presented resistance to the authorities in whose custody they were. It was against this that the people of England raised their protest—it was against this assumption of arbitrary and irresponsible power that they had in all quarters of the island given expression to their indignation. He had heard with the same indignation as his hon. friend, the member for Middlesex, that the charges brought against the Messrs. Barings in that House were the result of a dirty conspiracy. He was not conscious of the existence of any such conspiracy; but if it were supposed that by such taunts he would be deterred from raising his voice on behalf of the injured and oppressed in that House, those who used such taunts would find themselves grossly mistaken. As long as he had a seat in that House, he would always be ready to raise his voice in behalf of the poor, however much such conduct might displease those Gentlemen whose arithmetic was puzzled in counting their millions, and whose immense fortunes were accumulated at the expense, and almost by the destruction, of their poorer fellow-countrymen. He would not vote for a Committee, if Government would point out any other mode of inquiry into the circumstances of this case. He had not yet heard, that the Home Secretary had offered to receive depositions upon oath from both parties on this subject. If the Home Secretary would do that, truth might yet be elicited, and justice done between both parties. If some such measure were not granted, he should be compelled to vote for a Committee of Inquiry, in spite of the inconvenience to which such Committees generally gave rise. He concluded by stating, that if such a Committee were granted, he should enter upon its duties with a mind open to conviction, and influenced by no other feeling than a wish to vindicate the justice of the country—the rights of the people, and the equal claims of the parties, Mr. *Baring* had had no intention of imputing any improper motives to the hon. member for Middlesex; and he was sorry that the hon. Gentleman should have imagined that he had done so. He admitted that he felt strongly on this question, and he certainly had no pretensions for saying he was able to form an impartial opinion upon it: perhaps he might be allowed to say, that he felt still more strongly on the subject, from the impression that the late prosecution which had been instituted against this young person (Mr. Bingham Baring) took its origin, not from his own demerits, but from the line of politics which he (Mr. Baring) had adopted. At the time that these transactions were taking place, there were 400 persons confined in the gaol at Winchester; and he thought that when that circumstance was taken into consideration, it would in some measure account for the confusion and excitement which had prevailed in the country. But the case had been mis-stated with respect to the Deacles. The Barings did not accuse the Deacles—it was the Deacles who accused them; and the whole extent to which the Barings went was to show that the statements of the Deacles were not founded in fact; and with this addition certainly, that there were *primâ facie* grounds for taking up the Deacles, and for instituting proceedings against them. He came down unprepared for the discussion, expecting that the Committee would be granted. He could only refer, therefore, to the various depositions given before the Magistrates, to show that there was good reason to apprehend Mr. and Mrs. Deacle. The Magistrates would have neglected their duty if they had not apprehended them. Several of the people who were tried, said, in their defence, that they were ordered by Mr. Deacle to go to certain places to get money. The Judges too stated, that there were farmers who instigated the people, and deserved to be tried more than the misled peasantry. The people themselves were much aggrieved, and perhaps no class deserved more pity than the agricultural labourers. They had no criminality in their minds. They were goaded on by others. The verdict was good evidence, and it acquitted all the Magistrates, except Mr. Bingham Baring, and he was only condemned because he was said to have struck a blow. The verdict of the Jury was the safest guide for the House. It was not the Magistrates who accused Mr. Deacle's witnesses of perjury, but Mr. Deacle himself. He wished it to be made out, according to his petition, that the witnesses had not deposed to the truth. The hon. Member also animadverted on the contradiction between the statements of Mr. Deacle's own witnesses and his own petition. Mr. Bingham Baring, at a time of great danger, exerted himself more than any other Magistrate, and nearly lost his life by an attempt to resist a mob. That fact, which was much to his credit, had been laid hold of by a powerful writer, who circulated his slanderous attacks throughout the land, who had for many years spread poison throughout the country. This man had stated that he would ruin the Barings; and to effect that object he continually brought forward the case of that unhappy young man who lost his life for making an attempt on that of Mr. Bingham Baring. He must take the liberty to refer to the testimony of Mr. Justice Alderson in favour of Mr. Bingham Baring, to show that his conduct had been what it ought to be. The choice of the cart was the act of the constable. The Magistrates went to arrest the people who were suspected, because there were no military in the county. It was proved that Mr. Bingham Baring could know nothing of the Deacles, by his asking of the constable who they were. It was impossible that Mr. Bingham Baring could have been on the spot when the handcuffs were put on Mrs. Deacle; they were not put on either by Mr. Francis Baring. It was the general rule at that time to handcuff the prisoners who were sent to Winchester gaol; and it was in compliance with that rule that the handcuffs were used. It was physically impossible that the order to handcuff Mrs. Deacle could have been given by Mr. Bingham Baring. He admitted, with reference to the fact of who carried Mrs. Deacle, that a mistake as to the person was of no consequence. Mrs. Deacle, however, was carried carefully across the dirt, and thanked Mr. Francis Baring for his care. On the arrival of Mr. Deacle at Winchester, he too thanked Mr. Francis Baring, and said he hoped Mr. Baring would call again to-morrow. He believed, too, that there was no intention of rescuing the Deacles; but, looking at the state of insurrection in the village, it was very natural that the Magistrates should fear a rescue. That was the reason for making so much haste. As to the blow, Mr, Deacle had put his hands upon the reins, and Mr. Bingham Baring, seeing that, had ridden up to the cart from behind, and did put the riding-stick he had in his hands upon Mr. Deacle. All the gentlemen who had been with Mr. Bingham Baring were made co-defenders, and were unable to give their evidence that they did not see the blow, though they were about, and would most probably have seen it if a blow had been inflicted. They never heard even of any blow, and yet, if a blow had been given, that would have been the first thing complained of. Mr. Bingham Baring knew nothing of the aggravated circumstances that were related on the trial, till they came before the Court, and he accordingly left his case entirely in the hands of the attorney, who was the Clerk of the Peace. Under the circumstances of the county, the young Magistrate who acted so vigorously deserved praise. As to not going for a new trial, the reason was, that it could not be done without giving the plaintiff an entirely new trial, and without, at the same time, obtaining the advantage of separating the defenders. The verdict, however, when translated into English, only meant that the Magistrates were acquitted of all the other charges except the blow. He had his doubts whether going for a new trial would benefit the defenders, because the gentlemen had not seen the blow, and their denial would not weigh against the assertion of other men, who said that it had been given.

Mr. *O' Connell* thought, that as the parties involved in the transaction had courted inquiry, the refusal to institute that inquiry would only tend to increase the slander—for slander he trusted it would prove to be. Many charges were from time to time preferred against the magistracy for an improper exercise of their functions, and if it were seen that that House was disposed to give such charges a fair degree of consideration, it would greatly tend to tranquillize the public mind. Numberless instances in his own country justified him in advancing this opinion. He was decidedly in favour of inquiry, in order, if the allegations were false, that an end might be put to popular agitation.

Sir *Robert Peel* was sorry that a sense of duty obliged him to oppose a measure which he believed the parties themselves sincerely desired. He was opposed to it, because he was persuaded that those parties were entirely innocent of the misconduct with which they were charged. He did not think that House the fittest tribunal for instituting a trial of the kind. If an appeal were to be made to any tribunal, it should be to one of those where the truth or falsehood of conflicting statements was established on oath. He discovered nothing in the present case, more than in many others of alleged misconduct of Magistrates, that demanded or warranted extraordinary interference. He believed those men to be innocent, and he did so without having the honour of their acquaintance further than meeting them in that House. From his own official experience, he could see much in the disturbed state of the country that might countenance the adoption of measures of more than ordinary precaution. Placing himself in the character of a Grand Juryman, and believing these persons to be altogether guiltless of the proceedings laid to their charge, he could not, consistently with a sense of duty, accede to their wishes for a new trial.

Mr. *Hunt* regretted that the Government did not consent to grant the inquiry, because the printing of the petitions had been refused on the express ground that there would be an inquiry. He thought it was plain that a female had been ill-treated, without the least justice in the accusations brought against her, and that in such a case there was ground for the interference of that House. The country would not be easily led to believe that there had not been some understanding between the noble Lord at the head of the Government and the powerful family of the Barings, and this again was a reason why an inquiry should not have been refused.

Mr. *Goulburn* thought that the proposed appointment of a Committee would be most inconvenient, and was highly inexpedient.

Sir *Francis Burdett* said, that when he came into the House that evening, he had a strong impression on his mind to vote in support of this Motion; but what he had heard in the course of the debate which had since occurred, had completely altered his determination on the subject. He entirely concurred in what had fallen from the right hon. Baronet, the member for Tamworth. He considered that as far as the parties were concerned, this case had been entirely set at rest by the verdict of a Jury. He must say, that he could not bring himself to believe the charge made against Mr. Bingham Baring of having struck a man in handcuffs a blow. He should vote against the Motion, because he did not think that any parliamentary grounds had been laid for the appointment of a Committee.

Colonel *Evans* said, he should trouble the House with a very few words in reply. In the first place, he felt much pleased at the manner in which the hon. and learned Gentleman, the Attorney General, had treated the subject, although he was opposed to the inquiry. In the second place, he begged leave to assure the House, that as the word "conspiracy" had been made use of as affording one of the grounds upon which he would justify the appointment of a Committee, he had no such impression on his mind; the only ground he went upon was, that in a case which involved so much conflicting testimony, and on which neither party appeared well satisfied, it might be proper for the House to interfere, and make due inquiries.

The House divided :—Ayes 31; Noes 78; Majority 47.

List of the Ayes.

Blackney, W.
Baring, Sir T.
Baring, A.
Baring, H. B.
Baring, F. T.
Ewart, W.
Grattan, J.
Grattan, H.
Harvey, D. W.
Hodges, T. L.
Hunt, H.
Jephson, C.
James, W.
Lambert, H.
Lefevre, C. S.
Macdonald, Sir J.
Musgrave, Sir R.
Mildmay, P. St. John
O'Connell, D.
O'Connell, M.
O'Ferrall, R. M.
Ruthven, E. S.
Sheil, R.
Stanley, E. G.
Thicknesse, R.
Tomes, J.
Wason, W. H.
Wood, J.
Walker, C. A.
Wyse, T.
Wilks, J.

TELLERS.

Hume, J.
Evans, Col. de Lacy.

Charities Inquiries Bill.] On the Motion that the House resolve itself into a Committee on the Bill,

Mr. *Hume* said, he wished to know what difference there was between the new Commission to be appointed under this Bill, and that which had previously existed, as there had been a considerable outlay of public money connected with the subject, and he thought material savings could be made.

The *Attorney General* assured his hon. friend, the Bill was in the same form as the former one, and the Commissioners were to have the same powers; but it was intended to reduce the number of paid Commissioners from ten to eight, and the salaries were also to be reduced from 1,000*l.* to 800*l.* per annum, and they were to be employed for a longer term during each year; the nature of the inquiry made it necessary to collect a great mass of evidence, to be borne out by the necessary documents, previous to a report being made.

Mr. *Goulburn* said, in the former Bill a clause had been introduced, preventing Members of either House of Parliament from being paid Commissioners. This clause had now been omitted, but he trusted there was no objection to have it inserted in the present Bill. Under the previous Bills there were ten paid, and ten unpaid Commissioners; now he presumed there were to be twelve unpaid, and eight paid, who were to have salaries of 800*l.* per annum each.

The *Attorney General* said, he had no possible objection to introduce the clause recommended by the right hon. Gentleman; it must have been left out by inadvertence. It was proposed the Commissioners should bear the proportions, both as to number and payment, as the right hon. Gentleman had suggested.

Mr. *John Weyland* said, he wished to suggest an amendment in the present Bill, in consequence of certain schools having been endowed for a specific purpose, such, for instance, as teaching grammar, which implied that the candidates for admission should have some previous knowledge of reading and writing. The scope of his Amendment, therefore, was, to enable the Commissioners, in cases of such a description, to ascertain whether the funds of the charity could not be distributed with greater advantage to those for whose benefit they were intended, than according to the precise rules laid down by the founder of the charity. He had understood that the gross amount of the funds intended for the purposes of education, amounted to upwards of 1,000,000*l.*, and he was quite sure the persons who had bequeathed this money, desired that the greatest possible good should be done with it; and could they have seen the alterations that time had made on society, they would desire the State should make such alterations in their bequests as would best fulfil the objects they had in view, in improving the condition of those for whose benefit these funds were intended. Many schools were now without scholars, from the absurd rules laid down by the founders, which, according to the existing law, it was necessary to enforce.

The House went into Committee, when several verbal amendments were made.

On arriving at the clause relating to the salaries of the Commissioners,

Mr. *Hume* said, the public should be relieved from the expense of the Commissioners; the charge should be defrayed by a per centage out of the funds of the charities, which had greatly profited in general by the labours of these gentlemen.

The *Attorney General* remarked, in answer to his hon. friend, that some charities might recover property immediately, and others might not receive it for a series of years. The former class, therefore, would have to pay the whole of the charges, while the latter would be exempt —he did not see how his hon. friend could make the burthen apply equally.

Mr. *Daniel Whittle Harvey* said, he was fully persuaded that neither the trustees of charities, nor the persons who were to profit by them, could have any objection to pay the Commissioners for recovering their money, and he was also sure there could be no difficulty in placing charities which were now worse than useless upon a sound footing, so as to promote the general interests of the poorer classes. The hon. member for Hindon had estimated the probable income of charities at 1,000,000*l.*; he (Mr. Harvey) had no doubt it was nearly double that amount. Some years since the rental and income of charities then inquired into by the Commissioners, amounted to 700,000*l.* annually. He was fully satisfied the country did not know the extent of the property which had been bequeathed for charitable purposes, and had been devoted to other objects. There were at present about 400 suits instituted by the Attorney General against the trustees of charities, for the non-performance of their duties, and there was 1,000,000*l.* sterling locked up in Chancery. One of the Companies in the city of London had recently been compelled to pay into that Court upwards of 100,000*l.*, which they had received on behalf of a charity, but which had not been applied in the manner directed by the will of the donor. Now, when such sums of money were recovered, it was not too much to require those who received such benefits to contribute a certain per centage for the payment of those through whose instrumentality the money had been recovered. Several other of the City Companies had also large funds intended for charitable purposes, which had been misapplied. In one instance he (Mr. Harvey) had compelled one of them to lay out 20,000*l.* in the erection of alms-houses, from monies bequeathed for that purpose. He, however, proposed to call the attention of the House to the whole subject at a convenient opportunity.

Mr. *John Weyland* said, the amendment he wished to see introduced into the Bill would have a prospective operation only; he had no desire that the charities should pay the expense of the Commission.

Mr. *Benett* said, he feared the reduction in the number of the Commissioners would protract the inquiry very materially; they had hitherto discharged their duties in a most exemplary manner; he would, therefore, recommend their number to be increased, by which means the duration of their labours would be shortened, and probably the expenses be ultimately less

Mr. *Goulburn* said, he had very strong objections to give the Commissioners power to decide whether the funds of a charity ought not to be appropriated to other purposes than those designed by the founder. He, therefore, should recommend the hon. member for Hindon to postpone his amendment, as it was likely to give rise to a lengthened discussion.

Mr. *John Weyland* observed, if the right hon. Gentleman objected to his proposition he would withdraw it.

Mr. *Hume* said, he hoped the Commissioners would ultimately have authority to inquire into the charities connected with the Universities; he had reasons to believe the funds intended for education had been misapplied. He would take this opportunity to suggest to his hon. and learned friend (the Attorney General) the propriety of introducing a clause into this Bill, similar to that recently annexed to the Bill for Public Works in Ireland, declaring the Commissioners employed under it were not to be entitled to allowance for superannuation.

The *Attorney General* said, he had no objection to agree to his hon. friend's suggestion.

Several verbal amendments were made, and the Bill ordered to be reported.

HOUSE OF LORDS,

Wednesday, September 28, 1831.

Minutes.] Bills. Brought up from the Commons; the Galway Franchise. Read a third time; the Sale of Beer Act Amendment; the London Coal Regulation. Committed; the Wine Duties.

Petitions presented. By a Noble Lord, from Barnstaple, and by the Marquis of Headfort, from the Parish of Bective, in the County of Meath, in favour of Reform. By the Earl of Shaftesbury, from the town of Galway, in favour of the Galway Franchise Bill.

A Conference on the subject of the Amendments made by their Lordships in the Lunatics Bill, was held in the Painted Chamber.

Court of Chancery.] The *Lord Chancellor* rose to present to their Lordships a Bill, the heads and contents of which he had stated to their Lordships at an early period in the last Session of Parliament. It was the third of that series of measures which he had proposed to their Lordships as fit to be adopted by the Legislature of the country, with a view to the amendment and improvement of the law and practice of the High Court of Chancery. The two first of those measures had already passed through their Lordships' House, the second of them, the Bankruptcy Court Bill, having received their Lordships' final sanction, and having been read a third time last night. The present Bill, being the third of those measures, related to the proceedings and course of practice in the Master's Office, and embraced the improvements which he proposed to introduce into that department of the Court of Chancery. He should not proceed further at present than merely to lay before their Lordships a brief and general outline of the object of this measure, reserving to a future occasion those explanations which might be required with regard to its details. The object of this Bill, as of the other measures which he had already introduced, was to shorten the delays, to lessen the expense, and to introduce, as far as possible, a more uniform certainty into the decisions of the courts of Equity in this country, beginning with the High Court of Chancery, and with the matters appertaining to its jurisdiction. He should state in a few words the manner in which that object was sought to be effected by the Bill which he held in his hand. One of the great evils connected with the practice of the Court of Chancery, and one which more immediately called for a remedy was, the delay which took place in the course of the proceedings in the Master's Office. Their Lordships were aware that many causes in Chancery were referred in the first instance to the Master for his inquiry and report. A great number of nice points were decided upon by the Master, and after he had made his decision on these points, his decision was embodied in the form of a report. Now, in this important stage of the proceedings in a cause in Chancery, a great deal of delay, and a considerable increase of expense, were occasioned by the practice which at present existed. It was with a view to remedy those evils that he (the Lord Chancellor) had prepared this Bill. In preparing it, he had followed the same course as that which he had adopted in the instance of the Bankruptcy Court Bill, which had received the high sanction of that House last night. Having determined on the principles of his plan and having framed them into the shape of a Bill, he sent that Bill to gentlemen of the highest practice and standing in the Court of Chancery for their opinion. The result of their determination was the present measure, which, in his (the Lord Chancellor's) view of the matter, by no means went sufficiently far enough to meet the exigencies of the case. But it was a reform to the extent to which it went, and he thought that he should be erring on the right side in proposing it to their Lordships, instead of bringing forward what might be considered, perhaps, a too rash and enlarged measure of reform. Besides, if this measure should be found, as he was sure it would, to work well, it would be an encouragement, and it would afford a safeguard for carrying the principles of reform further. The following, then, was the outline of the present measure, and the result of the deliberations of those learned individuals to whom he had referred the matter. It was proposed, that the Masters should sit in Court during the day, and in the evening, too, if it were necessary, for the accommodation of suitors, and that they should give as much of their time as possible to the important business of their office. The manner in which that business was at present conducted before the Master was one great cause of the delay which occurred in the Master's Office. He alluded particularly to the manner in which objections were taken to the decisions of the Master, and to his final report. As the practice at present stood, objections could be taken in the course of the proceedings in the Master's office, to his several decisions on the various points of the case, and after his final decision had been made, objections could be taken to the whole of his report; and in both instances these objections were carried before the Lord Chancellor for his adjudication. The practice stood thus:—The Master, when the case was referred to him, went over the various points of it; upon each of his decisions in those several points, the party in the cause might take exception, and have that exception argued before the Chancellor, and when the Master's report was finally made, they might again take exceptions to it, and have them also adjudicated by the Lord Chancellor. Now, with a view to do away with the delay which was necessarily caused by this practice, one of the objects of this measure was, to prevent those objections which were raised to the decisions of the Master, previous to his making his report, being brought before the Lord Chancellor; and it accordingly proposed that those objections should be brought before three Masters sitting in Court, and be adjudicated by them. If the party failed in their objections there, the Master's report was made, and it was open to them then to take exceptions to it, and to have them carried either before the Chancellor, or the Vice-Chancellor, for final adjudication. By this alteration the suitors would be provided with all that they wanted—a tribunal to decide those objections which arose in the course of the proceedings in the Master's Office, and nine out of ten—indeed he would go further, and say that ninety-nine out of a hundred—of the objections at present carried to the Court above, would be disposed of by those three Masters sitting judicially in the Court below. There was another important change which this measure went to introduce into the practice of the Court of Chancery, and that related to the mode of taking depositions in that Court. That change consisted in the introduction of a more intelligible, reasonable, and common-sense-like kind of examination, than the very absurd and very unsatisfactory practice which at present prevailed in the Court of Chancery, of taking all examinations upon written documents. The consequence of that practice was, that a statement on one side might comprise a number of questions to which the party on the other side could not possibly give any answer; that a person acquainted with the second and third question might know nothing whatever of the first; and that cross objections might be put in, which could not possibly be answered without the means of a *viva voce* cross-examination. Now, his object was, to introduce, in the stead of that unsatisfactory practice, the right mode of examining parties—namely, by the *viva voce* examination of witnesses on oath, subject to cross-examination and re-examination, and that in the presence of the Court which was to decide on the value of their testimony. That was a step—he would say a stride—to be taken in the reform of the Court of Chancery; but though he was not disposed or prepared at present to go to the whole length of that stride, yet the measure which he now proposed did not stop far short of what he desired in that respect. His present proposition to introduce the practice of taking evidence by the *viva voce* examination of the witnesses, was a great and important change in the practice of the Court of Chancery—a change which introduced there a rational and intelligible kind of practice, that would remedy to a considerable extent much of the delay and expense attendant upon proceedings in that Court. There would still remain one evil in the practice, even after this change should be effected—namely, that the witnesses would be examined by one Judge, while another Judge would have subsequently to decide upon the value of their testimony. If, however, the step which he now proposed to be taken should succeed, as he was certain it would, he did not despair of being able hereafter to induce their Lordships to carry that important change still further, and to give the Court of Chancery itself the power to make inquiries into the facts of the case, to examine the witnesses, to hear their depositions in open Court, their examination and their cross-examination, and then to decide, like the other Courts which adopted that practice, upon the value of their testimony. There were several other important improvements proposed to be effected by this Bill; but he should not go into a detail of them on this occasion. He thought it sufficient at present to present this Bill to their Lordships, and to move that it be read a first time. He would then propose that it should be printed, and that the further consideration of it be postponed for the present. His reason for postponing it for the present was this—he was fully aware of the extent and importance of the change which this Bill proposed to effect, and he was not for taking such a step rashly or without the most mature deliberation. Taking into account the important measure at present before them, and more especially the very important measure which would immediately occupy their attention, almost to the exclusion of all others, he did not think that it would be wise or judicious to press this Bill this Session. He would therefore propose, that it should stand over, and it might undergo a thorough discussion during the vacation—if, indeed, they were to have any vacation at all. By standing over to the next Session, the Bill, having been now printed, might be thoroughly discussed throughout the country after the present Session of Parliament should have an end. He forgot to mention one important change which this Bill introduced with regard to the payment of salaries in the Master's Office. It abolished the fees which now formed a great portion of the payment of the Masters and their clerks, and it provided that they should be paid by fixed salaries, with the exception of a small proportion of the salaries of the subordinate officers, which would be still defrayed from fees, with a view to quicken their exertions. With that single exception, all the salaries were proposed to be fixed salaries in future.

Bill read a first time and ordered to be printed.

HOUSE OF COMMONS,

Wednesday, September 28, 1831.

Minutes.] Bills. Read a first time; Sale of Beer. Read a second time; Whiteboy Offences; Arms (Ireland.) Read a third time; Court of Law Fees; Embankment (Ireland); Inclosure Acts Titles.

Returns ordered. On the Motion of Mr. Robert Gordon, an account of such Pensioners on the Civil List of Great Britain and Ireland, and on the Four and a-half per Cent Duties, as may have signified their intentions of declining to receive their Pensions in future; and an account of the number of Pensions which have ceased by the Death of the Possessors during the present year:—On the Motion of Mr. Wilks, of all Persons in the Commission of the Peace in England and Wales, distinguishing Clergymen from others.

Petitions presented. By Mr. Wilks, from George Lister, Esq., of Stamford, against the appointment of so many Clergymen to the Commission of the Peace. By Mr. Foley, from Broomsgrove in Worcestershire, against the Beer Act. By Sir Richard Musgrave, from the Fishermen of Hensick, near Dungarvon, complaining of their Trade being injured by the Regulations of the Commissioners of Inland Navigation. By Sir George Murray, from Ross-shire, against the Scotch Reform Bill. By Mr. Horatio Ross, from Forfar, to the same effect. By Mr. John Browne, from the County of Mayo, for the addition of two Members to the Representation of the Connty. By Mr. Protheroe, seven from Bristol, against the Select Vestry system, and for a reduction of the Taxes on the Machinery of Knowledge. By Mr. Leader, from Kilkenny, in favour of the carrying on Public Works in Ireland. By Mr. Wrightson, from the Owner of the Ship *Delf*, of Ipswich, against the Quarantine regulations. By Mr. Sanford, from the Diocess of Bath and Wells, against the Sale of Beer Act; from the Rate-payers of the Hundred of Wells, Somerset, for a Commutation of Tithes. By Mr. Henry Grattan, from Navan Meath, in favour of the Election by Ballot; from the same Parish, complaining of the burthen of the Parish Cess, and from the Inhabitants of the Town of Dunshaughlin, praying that the Irish Yeomanry might be disembodied. By Mr. James, from the Finsbury Division of the National Union, against all prosecutions for religious opinions; from the same Individual, against the Game-laws; for the abolition of all restrictions on the Press, and for the Repeal of the Corn Laws.

Bankruptcy Court Bill.] The Bankruptcy Court Bill was brought down from the Lords.

The Attorney General moved the first reading, and proposed to fix the second reading for Friday, as he did not think it likely that a measure already so fully debated elsewhere, would undergo any protracted discussion in the House of Commons.

Sir *Charles Wetherell* was of a different opinion. There was hardly a clause in the Bill to which he did not entertain the strongest objections. It was of the utmost importance that the mercantile body should be fully acquainted with the measure, and this could not be effected in so short a time. He was also desirous that every lawyer and Member of Parliament should be fully acquainted with its details, and the principles on which it was pretended to be founded. He should therefore move, as an amendment, that the Bill be read a second time on Tuesday.

The *Attorney General* said, he had no possible objection to the measure being fully discussed, but the state of business in the House rendered it necessary that he should persevere in his Motion.

Mr. *O'Connell* was in hopes that this Bill would have included Ireland, for the bankrupt laws in that part of the empire were in a much worse state than in this country.

Mr. *Goulburn* said, he was not acquainted, to any extent, with the bankrupt laws, but he felt much interested in this Bill, and he, therefore, required a longer time than a few hours after it was printed, to make himself acquainted with its contents.

The House divided on the original Motion:—Ayes 65; Noes 33—Majority 32.

The Bill to be read a second time on Friday, and to be printed.

SUPPLY — WINDSOR CASTLE AND BUCKINGHAM HOUSE.] On the motion of Mr. Spring Rice, the House resolved itself into a Committee of Supply. The right hon. Gentleman moved, that a sum, not exceeding 163,670*l.* 9*s.* 2*d.*, be voted to his Majesty, to defray the expenses which had been incurred on behalf of Windsor Castle and Buckingham House.

Mr. *James* rose to observe, that he must enter his protest against voting away any more of the public money for purposes such as those to which the vote now before the House, was to be applied. He, for one, was entirely taken by surprise, when he heard himself called on to agree that so large a sum should be voted away for the repairs and erection of palaces which would never be inhabited, for he had entertained some hopes that all such outlays would have ceased with the reign of that most extravagant Monarch, the late King [*order, order.*] He repeated his assertion, for what he said was matter of history. The history of George 4th was now before the public, and he would not scruple to assert, that, in his opinion, George 4th was one of the most extravagant, and one of the worst Monarchs that had ever reigned in England. Looking at the vote as calculated to encourage such extravagance as he had deprecated and censured, he should feel it to be his duty to take the sense of the House upon it.

Colonel *Sibthorp* cordially agreed with the hon. Member in his observations with respect to the extravagance which had been displayed in the outlay of the public money on such works as those for which the vote was now demanded; but he, for one, must express his total dissent to what had fallen from the hon. Member, with regard to the late King, for whose memory he entertained a high respect, and whom the hon. Member might have spared, in the recollection of that maxim which enjoins men to refrain from speaking disrespectfully of the dead, more particularly when it was recollected that the subject of his remarks was the late sovereign of this kingdom.

Mr. *Ruthven* observed, that the greater part of the debt which this vote was intended to defray, had been incurred under the former Administration, and nothing had hitherto been done by the present Ministers which was not strictly in accordance with the recommendations of a Committee. He thought, on the whole, that the expenses were grossly extravagant; but it was necessary to complete the palaces, in order to have proper residences for his Majesty.

Mr. *James*, in explanation, said, that he had only expressed his own opinion. He thought, at this moment, when the situation of the country called for a reduction of the burthens of the people, every possible retrenchment should be made, and he knew no subject on which retrenchment could better begin than in the erection and repair of palaces.

Colonel *Trench* said, that if Buckingham-house should be found not to be a fit palace for the King, he hoped the Committee would consider, before they decided upon any plan, what would be the probable expense of making it even fit as a private residence for his Majesty. He had visited the place some months ago, and found the basement story under water, and the ground floor nearly in the same situation; at least, it was so damp as to be unfit for a residence; and at that time, though the weather was very warm, fires were kept up. As to the first part of this grant—that for the improvements at Windsor Castle—he thought it was a very proper grant, and he hoped that sufficient means would not be refused to complete that great national object; but the vote for Buckingham-house was different. He did not object to the sum now asked, for it was to pay debts already due; and, however imprudent the outlay was in the first instance, the House was bound to pay the tradesmen and the artisans who had supplied the labour and materials. It was another question, however, whether any further sums should be expended, in order to make the building a royal residence. The necessity of getting rid of the nuisances which surrounded Buckingham-house, and the expense which that would occasion, should also be taken into consideration. A plan had occurred to him, by which the public might dispose of this building on very advantageous terms, and at the same time erect an elegant and commodious residence for their Majesties, without any additional expense to the country. Some time ago he had written to the Chairman of the Committee appointed to consider of this subject, and offered to give his evidence as to the state of Buckingham-house, and its fitness or unfitness for a royal residence. The Chairman of the Committee sent him a very polite answer, declining his offer at that time, and stating, that the Committee had already come to a resolution to consider whether Buckingham-house might not be made a private residence for the King. Nothing was said of making it a residence for the King and Queen, for no man who had seen the building could for a moment believe that it could ever be made a fit residence for the Court. To that decision of the Committee he of course bowed, though, at the same time, he by no means acquiesced in its propriety; for he thought, that after the Committee should have decided upon recommending it for a private residence, it would be too late to consider of applying it to any other purpose. He regretted that this subject had not been brought forward at an earlier period of the session. He would have called the attention of the House to the subject before, but he deferred it, in the expectation that the noble Lord at the head of the Woods and Forests would be able to attend. He was not still without hope that the Committee would take his plan into consideration. By that plan, a palace might be erected fit for the residence of the Sovereign and his Court, without putting the nation to the expense of a shilling. Buckingham-house had ever been a bad bargain for the country, and he thought that if it could be got rid of on advantageous terms, without the necessity of throwing away any more of the public money upon it, it would, for the first time, become of some benefit to the public. It would, in a few weeks, be too late to make the arrangement which he was about to mention, but there was yet time enough to complete it, if the matter were taken up at once. He would propose that King's College should be transferred to Buckingham-house, which, with very little alteration, might be well adapted for that purpose, and the building, now erected for King's College, might be turned into public offices, for which its situation was better adapted than for a public school. By this arrangement, a saving of full 15,000*l.* a year might be effected to the country. He had then in his possession an estimate of the sums paid for rent, &c., of public offices in different parts of the metropolis; and it appeared, as would be seen, when the returns, for which he should move, were laid before the House, that the sum he had mentioned, might be saved by bringing them all to one point, which, besides, would be a great convenience to the public. When he should submit his motion for these returns, he should be able to show that the advantages he had pointed out might be obtained by this plan. He should be able, he thought, satisfactorily to establish, that a suitable residence might be erected for his Majesty, without any expense to the public. He would not, as he had already stated, offer any objection to this vote, because it was required for the payment of work already done; but he must again express his earnest hope, that the Committee would consider the great expense which it would probably require before this building could be made a residence fit for his Majesty.

Mr. *John Wood* said, that a Committee, which had sat on the subject of the buildings at Windsor and at Buckingham-house, had decided that 177,000*l.* more should be advanced for completing the repairs and alterations of the former; that sum to be advanced in payments of 50,000*l.* a year, until the whole was paid. The sum of 100,000*l.* now asked for, was not a prospective vote, but was for the payment of arrears for work already done. When the hon. and gallant Member (Colonel Sibthorp) lectured Gentlemen on the Opposition side of the House, on economy, he ought to put the saddle on the right horse, for the expenditure which this vote was to make good was incurred under the late Administration. He (Mr. Wood) was a member of the Committee on this subject appointed in 1831; which had now sat nearly four months, and had diligently employed itself in the examination of the accounts, which had been sent in to an amount exceeding 100,000*l.* They had called to their assistance, tradesmen who gave them information as to the nature and value of the work done, and they were still engaged upon the same inquiry. In the meantime, however, the tradesmen, many of whom were in great distress by being kept out of the payment of their accounts so long, ought not to be allowed to starve. It was necessary, therefore, that the sum now asked should be given. This did not touch the question how far the contracts originally entered into for the erection of this tasteless and unsightly building were provident or otherwise. He thought the expenditure was most extravagant, and it would be recollected that he had been the means of putting a stop to it, by the bill for which he moved, for the better regulation of the land revenues. The statement then made as to the vast expenditure already incurred on Buckingham-house, was the means of putting a stop to any further outlay. In his opinion, too much money had been already expended upon that building, and before any more should be thrown away, they ought to decide to what object that palace could well be applied. This, however, should not hinder the payment of the arrears due to the tradesmen and artisans who had been employed on it. Some of these were reduced to such distress by the delay in the payment of their bills, as to become insolvent; and one man, who had been in respectable circumstances, and who had supplied the apparatus for warming the palace, was reduced to such distress by not being paid, that he actually had the bed sold from under him. This was a state of things not at all creditable to those under whose management these expenses had been incurred. He had very strong opinions as to some parts of this expenditure, and some questions to ask respecting it, but the present was not the proper time for entering upon them. He would wait until the Committee should have made its report, and then call the attention of the House to the subject. This, he repeated, was no argument for postponing the payment to the starving tradesmen, who should have been paid long ago. To show that the Committee had not been idle since its appointment, he might mention, that bills to the amount of 120,000*l.* had been sent in for furniture for Windsor Castle; some of these were of so extravagant a nature in their charges, that in examining them, there had been a reduction on this amount of within a few hundreds of 25,000*l.* This showed that their time had been profitably employed.

Mr. *Protheroe* was rather surprised at the statement of the hon. and gallant Officer, that the basement story of Buckingham-house was under water. The Government had had a very different account of it from an eminent architect who had lately examined it, and who stated, that the building was in a perfectly sound state, and that, with very little alteration, it might be rendered fit for the residence of his Majesty.

Colonel *Trench* had not said any thing as to the stability of the building. He himself had not visited the building lately, but when he did see it, the basement story was—he would not say actually under water, for that was too strong an expression—but it certainly was damp and unwholesome, and the ground floor was also damp, though it was then warm weather. The gentleman from whom he had his information as to its recent condition, had seen it ten days ago, and he assured him, that the ground floor was damp, and unfit to reside in. But it would be easy to put that fact beyond all doubt, by a new examination of it. When he saw the building, the weather was warm, but even then it was necessary to have the place kept aired by warming stoves fitted up in different parts of it. The very situation of the house was quite sufficient to account for its damp condition. There was a large lake in front of it, and another in the rear; and near it was erected a large mound to hide some of the out-offices from view, by which a free circulation of air was prevented. It was no argument in favour of it to say, that the healthy and vigorous family of George 3rd had been reared in that house. The circumstances of its situation were now quite different. The proximity of the two great lakes to which he had before alluded, though they contributed greatly as ornaments, tended to make the place damp. He would remind the Committee, that to make the place a palace fit for the residence of the Sovereign, it would be necessary to purchase the buildings in its neighbourhood, which could be considered only as nuisances, in such proximity to a royal residence. Some of these buildings had been already greatly enhanced in value, on the probability that it would be necessary to purchase them. On the whole, he would say, that to fit up Buckingham-palace as a residence for the King and Queen, and their Court, would require another outlay of at least 500,000*l.*; and even then the residence could not be otherwise than incommodious.

Mr. *George Robinson* wished to know, whether the sum now called for would cover all arrears; or whether it was only a sum on account. If it were the latter, he should object; for he had seen, on other occasions, that sums voted on account, had only led to increased expenditure. He regretted that the tradesmen who were thus made creditors of the

State, should be driven to such distress by the delay in the payment of their bills; but were there not some parties who, while these tradesmen were in such distress, had made large fortunes by having a per centage on the whole outlay, on the pulling down and altering, as well as the original building? Would it not be better to wait until the report of the Committee was before the House? On the plan suggested by the gallant Officer he would not then enter, but he thought it was too important to be lost sight of.

Lord *Althorp* said, that the 100,000*l.* would cover all the arrears, or very nearly. The arrears were, 104, 704*l.* 3*s.* 4*d.*, so that this sum would nearly cover the whole. These arrears consisted chiefly of bills due to tradesmen, and very pressing representations had been made to the Government as to the great distress to which many of these tradesmen had been reduced by the delay in their payments. One gentleman, a man of great reputation and fame as an artist, was reduced to such distress by this delay, that he ran the risk of being seriously injured if that delay were continued much longer. As to what should be done with Buckingham-palace, that question was at present under the consideration of a Committee, and he would offer no opinion until that Committee should have decided. One gentleman, an architect of considerable skill, and one who was very accurate in his estimates, had calculated, that not more than 70,000*l.* would be required to finish the palace, and put it in a fit state for the residence of the Sovereign; and if that estimate were as correct as some others which he had seen made by the same party, though on a smaller scale, he had reason to believe, that the expenditure required would not be more than that sum. However, before they came to the question of further expenditure, it would be necessary to decide to what use it might be proper to apply the building. The sums already sanctioned by Parliament for Windsor Castle amounted to 594,000*l.* There had been a further sum sanctioned by Parliament last year of 177,000*l.*, which made the whole for building and repairs 977,000*l.* in round numbers. There was, besides this, a sum of 267,000*l.* for furniture, and a further sum of 5,222*l.* 9*s.* 2*d.*, but from this was to be deducted the sum of 1,500*l.* for fees paid to the Lord Chamberlain's office, and to which that office was considered not to be entitled. This reduced the sum of 5,222*l.* to about 3,600*l.* There was another item for furniture this year, and for this he was responsible. An estimate had been made in the first instance of 12,000*l.* for this furniture, but that was considered an exorbitant amount, and, by opening the thing to competition, the estimate was reduced to 10,000*l.*—thus the whole sum for furniture amounted to 280,670*l.* 9*s.* 2*d.* There was, besides this, an outlay of 33,500*l.* for the purchase of land, which it was considered desirable to possess, in the neighbourhood of the Castle. This made the whole sum expended for building, repairs, alterations, for furniture, and for the purchase of land, 1,084,470*l.* Of this sum, 894,500*l.* had been already applied, leaving a sum of 180,670*l.* still to be applied. The sum for furniture required in the present year amounted to 13,000*l.*, which, added to the 50,000*l.* which it was intended to apply annually out of the sum of 177,000*l.* which Parliament had already sanctioned, made the expenditure for Windsor Castle this year 63,000*l.* The sum of 100,000*l.* in addition now called for was, as had been already stated, for the purpose of paying the arrears due to workmen, and was all that would be required to cover those arrears within the sum of about 4,000*l.* which he had already mentioned.

Mr. *Hume* deprecated the unexampled haste with which this vote was brought forward after the estimates had been laid upon the Table. It was only at two o'clock that morning that that estimate had been presented; yet, after so short an interval, during which no person could be prepared to examine the accounts, they were called upon to vote these sums. He had objected, on a former occasion to the expenditure of 300,000*l.* for Windsor Castle, and 200,000*l.* for Buckingham-palace, until a statement should be laid on the Table, showing whether these sums would be sufficient to cover the expenditure for which they were intended. The Committee now saw the effect of their not having such an account. The late Government had incurred a heavy responsibility by the manner in which the accounts of the expenditure at these palaces had been neglected, and they ought to be called on to explain their negligence in that respect. He should like to call the late Chancellor of the Exchequer to a serious account on this subject, for he considered that the late Ministers deserved little less than impeachment for their want of care in allowing such an extravagant expenditure of the public money. It was a perfect mockery of that House to call upon it to vote such large sums out of the pockets of the people, and not to lay before it a full and accurate account of the manner in which they were to be applied. It was said, that this vote of 100,000*l.* was necessary for the payment of the tradesmen, who were in great distress from the delay in the settlement of their accounts. He admitted they were, and it was a shame that they should be, and he only regretted, that every one of them could not come upon the late Ministers for the full liquidation of their demands. What was the use of talking of the responsibility of Ministers, if it could not be made available to prevent such a public inconvenience as this? A sum of nearly 900,000*l.* had been already expended upon Windsor Castle, and 464,000*l.* upon Buckingham-palace; and they were now called upon for 100,000*l.* of arrears for the latter, and for 63,000*l.* for this year, for Windsor Castle. If he made no objection to the payment of the arrears, he certainly should object to their being paid out of the pockets of the people, while Crown lands existed which were only a burden upon the country, and the sale of part of which might easily be made available to cover the remaining expenditure for these buildings. Parliament might dispose of those lands; or, if that were objected to, let a bill be brought in to enable the Chief Commissioner of Woods and Forests to borrow money on the security of the Crown lands, and thus provide a fund for the payment of the arrears, and for the completion of the buildings—if it were necessary that Buckingham-palace should be completed. He would not now go into many points connected with this expenditure, because too little time had been allowed for examining into it. He thought, however, that they should wait until they had before them the report of the Committee, and that until then they should not vote any further sum. The great blame of this delay rested in the late Government—though he must at the same time observe, that the present Government had been long enough in office to have called the attention of Parliament to this subject before now; but as they had waited so long, they might wait a little longer. As to what they should do with Buckingham-palace, he would not offer an opinion; but he thought it worth while to inquire, whether it could be completed as a Royal residence without any very great additional outlay. He had listened to the suggested plan of the hon. and gallant Officer (Colonel Trench), and he would not say, that it was undeserving of attention; but he thought, that having already gone so far with the palace, having already expended so large a sum of the public money upon it, they ought not to give it up if it were practicable to make it a fit residence for their Majesties. He was ready to admit, that the Sovereign of this country ought to have a residence suitable to his high dignity; but when he admitted this, he must again say, that he would not have it paid for out of the pockets of the people, but by the sale of those lands which belonged to the Crown, and the continuance of which in the hands of Commissioners only made them a burden instead of a benefit to the country. He would not urge the subject further at present, except again to press upon the noble Lord the necessity of deferring these votes until they had an opportunity of further inquiry, or at least until they had before them the report of the Committee. He would, therefore, move, that the Chairman report progress, and ask leave to sit again.

Mr. *Strickland* hoped that they were at last bringing these accounts to a close. He felt no pleasure in looking at Buckingham Palace. It was nothing but an immense pile of buildings: but as they had laid out large sums of money on it, they were bound to adhere to it. He was satisfied that the people of this country did not wish to grudge his Majesty a suitable Palace, but they were anxious that the money spent on it might not be wasted. He should, therefore, not oppose the present grant, the more especially as the money was due for work done. He agreed with the hon. member for Middlesex, that the Crown possessions should be either sold or mortgaged to supply the sums necessary for the completion of Royal Palaces.

Mr. *Maberly* reminded the House that this grant was proposed to defray expenses already incurred. He was ready to admit, that if the money asked for was to meet future expenses, the House would be justified in calling for further time before agreeing to the vote. He certainly was of opinion that the money had been improperly expended; but that was not the question before the House. The only question was, whether those parties to whom the money was due were to be paid or not? The hon. member for Middlesex had proposed that the required sum should be taken from the funds of the Commissioners of Woods and Forests. It was of very little importance from what fund the money was taken, whether from the Woods and Forests, or from the Consolidated Fund, for all the revenue of the Crown lands was public revenue.

Mr. *Warburton* begged the hon. member for Middlesex to recollect, that the great proportion of the present vote would go to defray the expenses of works undertaken by the late Government, and he did not think it just to punish the present Government for the faults of their predecessors. He thought that the vote ought to be allowed to pass without delay, as the money was due to a description of men who were actually in need of it. He could not support his hon. friend's proposition, to raise the required sum from the sale of the Crown lands. It would take some time before the Crown lands could be sold for that purpose, and in the meanwhile, what was to become of the tradesmen who stood in need of the money which was due to them?

Mr. *Hume* said, that the Crown lands were not generally productive to the public, and he wished to make them available for the purposes of this vote.

Mr. *Briscoe* concurred in the observations which had fallen from the hon. member for Middlesex, and thought, that the present vote ought to be postponed until the Select Committee appointed to inquire on the subject of Buckingham Palace made their report. He had given his vote in favour of Reform, and he felt bound to support that vote by advocating economy and retrenchment.

Mr. *Wilks* was not disposed, at the present moment, to blame either the present or the late Government for their conduct with respect to the Royal Palaces; but he did think that Ministers had been guilty of precipitation in bringing forward the vote before the House. He agreed with the hon. member for Middlesex in thinking that the grant ought to be postponed until the Select Committee made their Report. He understood that the Committee had made a Special Report, recommending that the debts already incurred should be discharged. He was not before aware of that fact. He had not seen the Report, and was sure that it was not printed. He still thought that the vote should be deferred, and time allowed for the consideration of that Report.

Mr. *Spring Rice* thought, that it could not be fairly said, that the House was taken by surprise with respect to this vote. Hon. Members were aware that a Committee had been some time sitting to examine the accounts connected with the Royal Palaces. It was true that the Committee had not made a full Report on the subject, but they had made a Special Report with respect to the debts already incurred, and recommended the House to discharge them. The present vote, therefore, was supported by the recommendation of the Select Committee appointed by the House. The hon. member for Middlesex had proposed the postponement of the grant; but to that proposition he could not consent, for the circumstances of the case were such as to make it a matter of great importance that the money should be voted with as little delay as possible. He would state the case of one tradesman, who had claims on the Treasury for work performed in Buckingham Palace, in order that the House might see the necessity of immediately passing the present vote. The individual in question had invented a plan of heating houses, and had been employed to apply it to Buckingham Palace. This he had done at his own expense, and had, up to the present time, kept the Palace in a proper state of warmth, and might be said to have contributed thereby to the preservation of the Palace. His resources were, however, at last drained, and he came to the Treasury with the last remains of his property in pawnbrokers' duplicates. The Treasury had it not in their power to grant him the relief he asked for—the payment of the money due to him — because no vote had passed that House; but the unfortunate man received 100*l.* in charity from the Royal purse, in order to keep him from starving. From this statement he thought that the House would see the expediency of passing the vote with the least possible delay, and of not deferring it until after an investigation of the revenue arising from Crown property.

Mr. *Cresset Pelham* supported the proposal of the hon. member for Middlesex, In his opinion, too much had been spent, and the Government were bound to show good reasons for demanding so large a grant.

Mr. *Cutlar Fergusson* would not now enter into the question whether the money which had been spent on Buckingham Palace had been improperly and extravagantly expended, but there was a great difference between a debt already contracted and a proposition for fresh expenditure. He should give his vote for the payment of these tradesmen, because he believed their demands to be just, and because he felt also that the Government could and should be legally compelled to pay them, as they had been incurred by accredited agents of Government.

Mr. *Hunt* was of opinion, that those who contracted the debt ought to pay it. The whole expenditure upon Buckingham-house had been extravagantly wasteful and profligate from beginning to end. It had been well described as a mixture of mud and magnificence, and was another proof of the bad taste of those who selected sites for Palaces, and the buildings they erected were worthy of their situations.

Mr. *John Martin* said, that he would not only vote for the sum now required, but for any further sum which might be necessary to complete the Palace, for he thought that it would be a profligate waste of the public money to leave the building uncompleted after so much money had already been expended upon it. He would take this opportunity of calling the attention of Ministers to another subject of some importance. He understood that a piece of ground contiguous to Somerset-house was set apart as a site for the construction of the King's College, on the express understanding that the building should be made to form the eastern wing of Somerset-house, which had never yet been completed. The College was now finished, but instead of being built in uniformity with the edifice which it was intended to complete, it bore not the slightest resemblance to it. He wished to know how this happened. Some explanation was due on the subject.

Mr. *Francis Baring* said, that he could satisfy the hon. Member upon the subject to which he had alluded. The Trustees of the College had entered into an agreement with Government, that the building should be erected in such a manner as to form the eastern wing of Somerset-house, and thus complete that edifice. Government had obtained security for the fulfilment of the contract. The wing was to be completed within five years. Government had employed a surveyor to ascertain whether it was practicable to complete the building according to the proposed plan, and he had reported in the affirmative.

Mr. *Cutlar Fergusson* said, that he had seen the College from the river, and was of opinion that it was built in such a manner as to render it utterly impossible to complete the eastern wing, unless part of the College should be pulled down.

Mr. *Goulburn* assured the hon. member for Kirkcudbright, that ample space was left to allow of the eastern wing being completed in conformity with the rest of the building.

Colonel *Sibthorp* opposed the grant, and complained that the House had been taken by surprise when it was proposed. He hoped the hon. member for Middlesex would press his Amendment.

Mr. *James* felt for the tradesmen who were said to be suffering, but when it was asserted that they could not be paid without the authority of Parliament, he would answer, that the debts ought not to have been incurred without the sanction of the House; and he agreed with the hon. member for Preston, that those who authorized the work should be made to pay for it. The House was no protection against a wasteful expenditure of the public money, if Ministers could expend such sums without its authority.

Mr. *Edward Ellice* begged to be permitted to explain why this vote had been laid on the Table, before the final Report of the Committee had been made. The subjects to be inquired into were various and difficult, and although the Committee had been very assiduous in inquiring into them, they were still unable to come to a conclusion, and as they found it necessary to adjourn for fourteen days, the Chairman recommended that 100,000*l.* should be applied in the mean time to the payment of distressed tradesmen.

Mr. *Hume* said, that since he had made his preceding observations, a paper had been handed to him, which purported to be the first Report of the Committee on the Royal Palaces, but he did not observe any recommendation of one sum of 10,000*l.* which was included in the vote now before the House. He wished, therefore, to know how that sum came to be charged. He begged it to be understood that he wished the tradesmen should be paid, but the sum necessary for that purpose should be taken from the Crown lands, and not from the Consolidated Fund.

Lord *Althorp* said, the 10,000*l.* to which his hon. friend objected, was intended to pay for furniture for St. George's-hall, Windsor, and he applied for it on his own responsibility.

Mr. *Hume* said, he would take his noble friend's word as a private man for the payment of any sum, but as Chancellor of the Exchequer he could not trust him. The House ought to be told how this 10,000*l.* was to be expended; they had heard of chairs which cost 100*l.* or 200*l.* each; these were out of character for a hall, even allowing that hall was part of a Royal Palace: good substantial oak chairs were alone required.

Lord *Althorp* said, perhaps his hon. friend was perfectly justified in placing no confidence in the Chancellor of the Exchequer, but as to his remarks about the furniture, he resembled another hon. friend of his, an antiquary, who thought there should be loop-holes in the Palace instead of windows, as it was called a castle. As the loop holes had given way to windows, so he hoped the oak chairs might be supplanted with something more according with the taste and comfort of the present times.

Sir *Edward Sugden* said, he must protest against the doctrine which had been advanced in the course of the debate, that the Crown lands were to be liable for debts contracted in the manner these had been contracted. It had been intimated, on one or two occasions, that one of the first measures of a Reformed Parliament would be, to sell the Crown Lands and apply the produce to the liquidation of the National Debt: in short, that so soon as the people alone were represented, they would take the hereditary revenue of the Crown to themselves. The King had as good a title to these lands as any private gentleman had to his estates. Whoever, therefore, struck the first blow at the hereditary revenues of the Crown would lessen the security of private property.

Mr. *James* was obliged to the hon. and learned Gentleman for his information; but he, at the same time, believed, that when the Civil List was voted at the commencement of a new reign, the Crown lands became public property.

Sir *Edward Sugden* assured the hon. Gentleman he had taken a wrong view of the case. The hereditary revenues were only given to the public for the life of the Sovereign. So soon as the Civil List expired with the demise of the Crown, the Crown lands became again the property of the successor, until a new bargain was made. Whoever attempted wholly to alienate these revenues, would be guilty of a revolutionary act.

Mr. *Daniel Whittle Harvey* said, if it was indeed a revolutionary act to dispose of the Crown property for the public benefit, the House had frequently been guilty of such acts; for large estates belonging to the Crown had been disposed of, and the purchase money brought into the common coffers of the State. The question of Crown property, however, and the manner in which its revenues ought to be applied, was of too much importance to be entered into on an incidental discussion.

Mr. *Goulburn* agreed with the hon. Gentleman, that this was not the proper time to enter into such a discussion; but, at the same time, he must enter his protest against the doctrine, that the hereditary revenues of the Crown were nothing more than public property, to be dealt with as the House might determine. At the proper opportunity, he should be prepared to show, that such a doctrine was wholly at variance with the principles of the Constitution.

Mr. *Hume* remained decidedly of opinion that this grant was improper, and ought not to be made until the Committee had made their final report. He should, therefore, persist in his Amendment, that the Chairman do report progress and ask leave to sit again.

The Committee divided upon this Amendment:—Ayes 12; Noes 110—Majority 98.

List of the Ayes.

Blamire, T.
Briscoe, J. I.
Dick, Q.
Hunt, H.
James, W.
Paget, T.
Pelham, J. Cresset
Rider, T.
Sibthorp, Colonel
Torrens, Colonel
Walker, J.
Wilks, J.

TELLER.

Hume, J.

Original Question put and carried. Question put, that the Chairman report progress, and ask leave to sit again.

Mr. *Hume* complained of the conduct of the Chairman, and observed, that he must say, that it was not fair to his hon. friend, the member for Carlisle, who intended to take the sense of the House upon his Amendment, after the first had been disposed of—that the question should be put so hastily, and in so low a tone of voice, when the House was in such confusion after the division, that it could not not be heard.

Mr. *Bernal* (the Chairman) said, that since he had had the honour to fill that Chair—and he considered it a high honour—he had endeavoured, on every occasion, to discharge his duty to the best of his ability. He had been as desirous to do so on the present occasion as on any other; and he was not aware, that anything he had done had, in the least degree, entitled the hon. Member to make the observation which imputed to him the having acted with unfairness towards another hon. Member. Having said this, he should now do no more than throw himself upon the judgment of the Committee.

Mr. *Hume* said, that it was fit every Member should hear a question when it was put; and he declared that he had not heard the question of the amendment of his hon. friend put to the Committee.

Mr. *James* was quite ready to say, that he considered the hon. Member (Mr. Bernal) to be generally the best Chairman (of course he did not include the Speaker) that that House had had since he had been a Member of it, and that was, with some intermission, since 1820; but on this occasion, he was bound to say, that he did not hear the question put. He did not mean to say that the question was not put, but he did not hear it. It might have been put when the Members were crossing to their places, and he did not hear it in the confusion.

Lord *Althorp* said, that the question had been regularly put, and that there was no ground whatever for such an observation as that made by the hon. member for Middlesex.

Mr. *George Robinson* did not think that there had been more haste than usual on this occasion; on the contrary, he thought the question had been put with perfect deliberation; and if hon. Gentlemen would not return in time to their places, they must take the consequences of their own fault.

On the Question, that the Chairman ask leave to sit again,

Colonel *Trench* wished to put a question to the noble Lord opposite respecting a building which this morning had a notice put upon it, stating that it was to be sold, but from which that notice had subsequently been removed—he alluded to the old stables near Charing Cross. He understood that it was in contemplation to take them away altogether, in order to complete the projected improvements there by the erection of another building upon their site. Now, such a building would be most expensive; and he begged to repeat an opinion he had expressed both to the former and the present Chief Commissioner of the Woods and Forests, that that large expense was unnecessary; and that, by proper alterations, and for a couple of thousand pounds, the buildings there might be made handsome ornaments of the place. At one time, it was understood that a gallery was to be formed there; but to whatever purpose the building was intended to be applied, he must say, that he believed it unnecessary to pull it down. He wished to ask whether it was intended to pull down these stables?

No answer given.

House resumed.

Sugar Refining Act.] Mr. Poulett Thomson moved, that the Report of the Committee on this Act be now received.

Mr. *Burge* rose for the purpose of making the motion of which he had given notice. After pointing out the importance of the West-India colonies, the hon. Member said, that his present Majesty had lived among these colonists long enough to become acquainted with their character, and to make himself informed of what their interests required. His Majesty had been so fully impressed with the injustice of the policy exercised towards the West Indies, that, previous to his accession to the Throne, he had taken every opportunity of advocating the claims of the West-Indians to more equitable treatment from the Legislature. He thought, therefore, that the accession of such a Prince to the Throne ought to have been the era of the commencement of a better system of policy towards the West Indies. He now claimed an inquiry into the enactments of this Bill, on the ground that such an inquiry was imperiously demanded, both by the interests of the British West-India colonists, and by the many times professed adherence to that policy with regard to the slave-trade which the British

Legislature had pledged itself to. It might not, perhaps, be unimportant that the House should recollect the line of policy adopted with respect to the abolition of the slave-trade; because, if this measure was considered in reference to its probable effect on that trade, it would be found in direct contravention of the policy hitherto pursued upon that subject. In 1807, the British Legislature abolished the slave-trade among its own subjects, and in its own possessions, and it had since endeavoured, by particular enactments, to prevent any of its subjects, either directly or indirectly, from participating in that trade with the subjects of other countries. Unfortunately, the state of Europe at that time was such as to prevent any other steps being taken for the purpose of effecting a total abolition of a trade so repulsive to every feeling of humanity. However, on the restoration of the peace, the Government of this country applied to all the Courts of Europe to lend their aid to abolish, in their possessions, a trade prohibited in our own dominions. The first act on the part of the Government was, to interpose in the strongest manner with France, Portugal, and Spain, the three great slave-trading Powers, and also with the other States of Europe, the object being, with respect to the former Powers, to obtain from them an immediate abolition of the slave-trade in their possessions, and, with respect to the other Powers, to induce them to discourage the trade, by excluding from their territories the produce of such colonies as were known to carry on the slave-trade. At the Congresses of Verona and Vienna, the English Minister endeavoured to make such stipulations with respect to the slave-trade, as were considered by the Cabinet at home most likely to tend to its total abolition. Subsequently, in consequence of the exertions of the British Government, Russia, Austria, Prussia, and Sweden, joined in a declaration to adopt such measures as should immediately tend to the destruction of the trade; and in 1821 as well as in 1822, this and the other House of Parliament expressed, in Addresses to his Majesty, the most earnest desire, that effectual and decisive measures should be adopted to put an end to this odious traffic. Not merely the municipal law of the country was against the slave-trade, but the solemn declaration of the Allied Powers of Europe, and the solemn language of both Houses of the British Parliament, approved of the adoption of such measures as should lead to the immediate abolition of this traffic. England had made large sacrifices for the purpose of putting down slavery. Money had been paid to different Powers for the purpose of obtaining such guarantees as it was supposed would accelerate the period when this trade should be totally abolished. Had England succeeded in this great object? Far from it; and it was a remarkable fact, that since the year 1815, the foreign slave-trade had been carried on to an infinitely greater extent than at any preceding period. It appeared by papers laid before the House, that between the 23rd of August, 1826, and the 23rd of November following, no less than eleven French vessels were captured, having on board several thousand slaves; and the officer who made these captures, stated, that at least three-fourths of the slave-trade was carried on by the French. It appeared by these documents, that, in November, 1828, a vast number of negroes were landed in the Island of Guadaloupe, and publicly sold as slaves. With respect to the Brazils and the Havannah, it appeared that, between the years 1815 and 1829, upwards of 600,000 slaves had been imported into those countries; and in that immense number all, in fact, were not comprised who were originally taken from their native country; because the mortality on the passage was absolutely appalling. It appeared, also, that between July, 1829, and July, 1830, no fewer than 80,000 negroes were imported into South America; and that of this number 5,620 died in a very short time. It was quite evident that the foreign slave-trade had increased. It appeared from the despatch of one of the Commissioners of the Mixed Commission, dated 1st July, 1830, that during the year 1829, forty-five slave vessels visited the coast of Africa; but he described the great mortality on board the slave-ships as being lessened. In another despatch of the same officer, dated 10th May, 1830, he represented that the Spanish authorities in Cuba, offered to throw all the obstacles in their power to prevent the detection of this traffic; but he said, he anticipated a considerable decrease in the slave-trade from the fall in the price of colonial produce. The opinion of this officer then was, and he wished to impress that on the minds of his Majesty's Ministers, that they could not more effectually contribute to decrease this trade than by discouraging foreign colonial produce, and, in consequence of the decrease in the price and value of colonial produce, he anticipated, that in a similar degree a decrease would take place in the slave-trade. His Majesty's Ministers were disposed, by this measure, to attach a value to colonial produce—to hold out an inducement to the importation of that produce—to give an additional encouragement to the growers—to extend the cultivation of it: the consequence of this proceeding would be, to keep up that horrible and cruel trade, which would be destroyed, in the opinion of this Commissioner, if the value of colonial produce were decreased. This was certainly the opinion of one who was looking to the whole of this subject, and who was effectually applying himself to the means by which so desirable an object as that they had in view could be effected. There was with respect to France, a statement to the effect that eleven slave vessels entered the port of Martinique during the winter of 1829 and the early part of the year 1830; and it was believed, from the number of dead bodies found in the river, that the actual number taken from the coast of Africa greatly exceeded that which arrived in the port. A most decided opinion was expressed by those who were superintending the enforcement of the provisions which the government of France had adopted—that the trade was still carried on and was still increasing, and that there were vessels fitted out, not merely from the French colonies, not merely from the Brazils, in which the subjects of France had a direct interest—but vessels were, in fact, fitted out from Portugal for that purpose. If this trade really had increased, it was necessary to inquire what its effect had been upon the produce of these colonies, and it would be found that the increase had corresponded to the increase in the number of labourers employed; and it had been also commensurate with the extraordinary advantages which the foreign colonist must necessarily have over the British colonist. It appeared by the work of a gentleman holding an official situation at Sierra Leone, that the price at which an African could be bought or sold did not exceed 4*l.*; and it appeared from some of the parliamentary papers, that even some of these Africans, who had been liberated at Sierra Leone, who had themselves been released from the dreadful slavery to which they were destined, had actually been found assisting the slave-traders to put their fellow-subjects, their fellow-countrymen, into that very situation from which they had been themselves so recently relieved. Allowing for any expense which the colonist might incur in conveying these Africans to their place of destination—allowing for losses—it had been ascertained that the utmost cost of placing these Africans in a state of labour did not exceed 35*l.* each. In British colonies where free-labourers were employed, they could not be placed in a situation to labour at a less cost than from 75*l.* to 80*l.* each. In this case, again, the foreign colonist, by means of the continuance of this trade was enabled to acquire labour at a price, much less than one-half of the cost incurred by the British colonist. The effect of this circumstance, of course, must be, that the foreign colonist, by carrying on a trade which was abhorred and contemned by the British and other nations, was enabled to raise his produce, and to bring that produce to market, at a price very much below that which the British colonist must necessarily incur. Here was the foreign slave-trade operating directly, so as to give to the person who carried it on a decided advantage over those who faithfully and honestly observed the law, and resolutely abstained from slave-trading. In addition to this direct advantage granted to the foreign colonist over the British, it was proposed not merely to leave him at liberty to find out the best possible market he could in any part of the world, but to give him the peculiar advantage of having the British market to resort to with his commodity. He could not bring himself to understand how it was possible for any casuistry—for any species of reasoning—to prove the truth of the assertion, that it was not an advantage to the foreign colonist to have an opportunity of bringing his produce to the English market. Would he resort to this market at all if it were not his interest so to do? Did he come here for the mere purpose of amusement? It had been said, in two or three years immediately after the passing of this measure, there had been no considerable increase in the importation of sugar from the Brazils and from Cuba. When this measure was passed in 1828, it was passed at a period when the whole of the produce of these colonies was on its way to Europe; in point of fact, the greater part of it had arrived when the Act was passed merely for a-year. It was not very probable that in the succeeding year 1829, when all parties were in a state of uncertainty whether the Act would continue, that such speculations should take place; but what took place in the year 1830, and in the early part of 1831, when it began to be known how this measure must operate to the advantage of the refiners, and how materially it must affect the consumption and sale in the British market of the produce of the British colonist? Although in the year 1830, only 5,000 chests of this sugar were imported into the port of London, yet, in the first six months of the year 1831, upwards of 8,000 were imported; there was no question as to that fact, and the inference from that fact was this—that the foreign colonist had found it to be his interest to bring his produce to this market; he had brought it, therefore, in increased quantities, and as soon as it had come over here, it had been ascertained how it might be turned to the advantage of the refiner, to the direct prejudice of the British colonist. It had been said, that if this produce were not brought over for the purpose of being refined in the London or Liverpool market, it would be taken to some other port on the Continent, there to be refined; and, in that respect, therefore, that we should not contribute to discourage the increased competition of the slave-trading colonies, or their increased production of sugar. In the first place the foreign colonist would not find in any other market the same advantages for carrying his produce there as he would for bringing it to the market of England; but allowing that it were otherwise, and that the foreign colonist would carry to a foreign market just as large a quantity of sugar as he now introduced into the British market, on what principle could they justify this measure, if it related to the encouragement of the foreign slave-trade—on what principle could they justify it consistently with the view which they professed to take of that trade? He recollected being under that gallery many years ago, as much interested as any man could by possibility be in the result of the debates which then took place on the policy of the slave-trade—and hearing an argument which was very strongly pressed by those who opposed the abolition of the trade, namely, that if this country did abolish the slave-trade, still it would be carried on, the moment a Bill for its abolition were passed, by foreign countries, even to a greater extent than it was then, as that Act would give to foreign countries possessing colonies a monopoly of that trade, and motives for extending it; but the answer given to that argument was—and he recollected it was especially advanced by the noble Lord now at the head of his Majesty's Government — "this House considers that trade to be a crime; will you continue the perpetration of that crime because it is possible that, though you relinquish its continuance, the trade may be carried on by other Powers? Is it less a crime on the part of this country to continue that trade, because, by possibility, though it may be abandoned by this country, it may be carried on by other States?" So he would say, if this was the means of encouraging the slave-trade, ought they to afford these means? Ought they, in spite of their own principles, to give support to the slave-trade of other States? Ought they to encourage that trade, because, by possibility, if they did not, other States would? It would be a complete and entire contradiction of the very first principles of morality to entertain, for one moment, the idea that it was any justification to this country to continue to encourage this slave-trade, because, if it did not, other countries would, by means of employing this produce, afford that encouragement. He could not understand how such an argument could, for one moment, obtain the sanction of those who looked to the effect of this measure, which would be the introduction of foreign produce into this country for the purpose of refinement, and the direct encouragement which it afforded to the foreign colonist to extend his production. He had heard it said, that this measure was adopted without much opposition on the part of those who were intimately connected with West-India property, but it ought to be borne in recollection, that the measure itself was only an experiment, and that all parties interested were in a state of uncertainty as to the mode in which it would operate. That the most palpable and gross mistakes had been made with respect to the nature of this measure, was evident from what was said by the right hon. Gentleman opposite, when he proposed to continue the introduction of foreign sugar into the refineries here, knowing, as he did, the consequences, which had arisen from the Act as it was originally passed. It certainly was not a perfect measure, nor was it intended to be permanent. It was regarded merely as an experiment, and circumstances had not then occurred which could enable the parties interested to judge of its operation until it had been tried, and this was the reason which induced them to consent to the Act passing at all. But it had been further said, that those who were interested in the sugar refineries had been induced to believe, that this Act would be continued, and that no representation had been made on the part of the West-Indians until a very late period. Such a statement as that could not have obtained the sanction of the right hon. the Vice-President of the Board of Trade, because it must be in his recollection, that so long ago as the 13th January in this year, a deputation of merchants from Liverpool pointed out the mischievous tendency of this measure, and remonstrated against its continuance. His Majesty's Government were also distinctly put in possession of the grounds of the opposition which was offered to the continuance of this measure, on the part of those who were materially interested in it: nay, further, the West-India Board laid before his Majesty's Government a series of papers and statements, all of which clearly demonstrated that they considered this measure as operating most injuriously on their interests; and it would be impossible for any Ministry to doubt that there was an intention to resist the continuance of this Act on the part of these individuals. It was quite impossible, too, that the refiners could be in any degree of doubt as to the opposition which would be offered to this measure. They were aware of the representations which had been made against it—they knew, too, the way in which the measure was complained of—they knew that it worked in a way that injured the British market very considerably, and that it had the effect of bringing foreign produce into competition with British produce, to the great detriment of the British colonist. They had not been deriving the profits which they acknowledged they had received, without being perfectly well aware that these profits were obtained at the expense of the British colonist, and at the expense of increasing the profits of these slave-trading colonies; and by means of those expedients which were perfectly well known, they were actually exporting, not as they were bound to do by law, the actual sugar which they had entered for the purpose of refinement, but another description of sugar; and the effect of this proceeding had been, in fact, to bring this foreign sugar into competition with our own. The right hon., the Vice-President of the Board of Trade, noticed the observation which he had just made as to the manner in which this sugar had been introduced into the British market, and brought into competition with the produce of our own colonies; but if he doubted the fact, let him grant the inquiry asked for, and it would be proved, beyond the possibility of doubt, that for every 800 tons of foreign sugar imported into this country for the purpose of refining, 100 tons would be brought into the British market, and would come into direct competition with the produce of our own colonies. That fact rested upon good authority—on the testimony of a merchant of considerable eminence in Liverpool, whose statement the hon. member for Liverpool would not be disposed to controvert. This testimony was infinitely better than that which the hon. Member had received from another person, one of his constituents, and who was a great sugar refiner in Liverpool. It was to be feared, from the manner in which the hon. Gentleman had given his statement the other night, that that individual whom he quoted as an authority, must have succeeded in conveying to his mind a very different impression as to the effect of the sugar-refining measure than that which could fairly be derived from a just and accurate consideration of all the circumstances. After all he and others had clearly stated, he thought it impossible that the right hon. Gentleman, and his Majesty's Government would take upon themselves the immense responsibility of deciding upon those facts without meeting them in a course of inquiry. He was quite satisfied, that the right hon. Gentleman felt the responsibility which attached to the Government in deciding upon measures of this description, which were represented, by those who had turned their attention to the subject with all the care and all the attention which belonged to the great interests they had at stake, as prejudicial. His Majesty's Ministers would hardly assume to themselves the responsibility of relying on the representations they had received from the refiners of Liverpool, in opposition to those who Represented the West-Indian interest; and would hardly undertake to say, that the latter were mistaken in their views. Would they listen to the only persons who could give a correct opinion to his Majesty's Government, or would they trust to the refiners, who had a direct interest of course in introducing this foreign sugar into the refineries, in order that they might continue to make those very large profits, which they could not receive if some restriction were imposed in this respect? He made that assertion upon the supposition that there was a certain period in the state of the market when they were at a loss for a sufficient quantity of sugar to work the refineries. But this supposition was not founded in fact, and the only ground on which the refiners could ask for the adoption of this measure was, the greater facility which it would afford them of bringing into the market a large quantity of foreign sugar, to compete, in fact, with the British produce. It was said, that the injury which would ensue with reference to the supposed quantities which would be imported, must be very slight indeed. Nothing would better tend to shew the erroneous impression which had been formed as to the quantity of sugar imported, than the circumstances which occurred with respect to another description of sugar. The late Mr. Huskisson judged that there never could be more foreign sugar introduced into this country than about 10,000 or 12,000 tons. But, whenever a particular species of foreign sugar favourable to the refiners, or at least affording them greater facilities, was introduced, the business of refining, and consequently the importation of sugar, would be increased to an enormous degree. Those had been precisely the consequences which had ensued, and which the admission of this sugar would bring home to all those who now flattered themselves that there would not be a very considerably increased quantity of foreign sugar imported if this measure were passed. It was impossible to look at the present situation in which our colonies were placed—no diminution having taken place in the burthens imposed upon them during the late war—without seeing, that it would be most unjustifiable to add to their burthens, which were already too numerous; and yet, when Ministers were told that they were about to adopt a measure the effect of which would be to increase these burthens, and to inflict additional injuries upon the colonies, they still persisted; and when asked to stop for a moment, until they had made inquiry, they said—"No: we are aware of all these reasons, but we will not listen to the representations you make; we will believe, that the representations we have received must be, in every respect, perfectly true, and we will pass this measure; and, although it may cause your ruin, we will not spare you." Was this the policy which any Government should pursue towards an interest like our colonial possessions — an interest which all must admit to be daily suffering under the deepest distress — an interest towards which every species of sympathy was professed? Were the colonies of no value? Had they never been of any value? Was it the country's wish, or was it their will, to maintain them? Because, if it were, certainly these were interests which called upon them to inquire—whether it was possible for them to be maintained—whether it was within the reach of those colonies to maintain their connexion with England for any useful purposes—whether, in fact, their distress was of such a nature as to involve them in complete and utter ruin? If such was the situation in which they would be placed, it surely could not be the part of a Ministry professing to consult the interests of all classes of his Majesty's subjects, and to protect the great resources of this empire, and to take care that they should be maintained for the general welfare of the empire—it could not be consistent with views of that kind, that his Majesty's Government should refuse an inquiry, which would put this House and the country in possession of those facts which were boldly and confidently asserted on the one side, and which were met on the other side by statements, which, in his opinion, carried no weight whatever with them. He could not hear the refiners representing the distresses of the West-Indian colonies as having been caused by themselves, without being very much surprised; and he hoped that no one of his Majesty's Ministers could have sanctioned such a letter as that which had been addressed to the noble Lord opposite, because a statement of grosser falsehood—of grosser injustice towards the West-India merchants of this kingdom, had never issued from the pen of any human being. It set out, indeed, with an assertion which was utterly false. An assertion was made, with respect to the small rate of freight charged by the West-India merchants compared with that which was charged by any other persons. Why, so far from this freight being fixed by the merchants resident in London, it was actually fixed in the colony. Every year when the shipping of produce took place, meetings of the planters were held for the purpose of declaring the rate of freights for the ensuing year. The freights were, therefore, at the disposal of the planters themselves, and they were, no doubt, guided by a feeling of fairness and justice towards all parties. It was said, that an unjust oppression took place on the part of the British merchants towards the planters, and that it was impossible but that the planters had sustained some injury in consequence of this feeling. The fact was perfectly well known, that owing to the enormous burthens of taxation to which colonial produce was subject, and owing also to estates being encumbered with mortgages, annuities, and various other descriptions of charge, added to the expense of cultivation, that frequently the land yielded nothing in the way of profit to the West-India planter, enabling him to send out the necessary supplies What was the course the merchant pursued under these circumstances? It ought to be stated for the honour and credit of the merchant of England, that for many years he had, upon his own good credit, and upon the remote prospect of the estate ultimately paying him, sent out to an enormous extent, every necessary supply and clothing for the labourers. That gentleman, whoever he might be, who had addressed a letter to the noble Lord, which had been put into the hands of every hon. Member, had grossly and malevolently, libelled the character of the West-India merchants. He had had, in the course of the exercise of his profession, opportunities of seeing a great deal of the accounts and matters of business of the West-India merchants, and he was convinced no class of persons could put themselves more fairly forward to bear their proportion of the general distress which affected our great colonial interests, than that body of men. He would mention to the House one fact which occurred with respect to the recent failure of a house, at the head of which was a gentleman of great respectability, who maintained a high character, who was long a Member of this House, and against whom he never heard one syllable breathed which could have the effect of injuring his reputation in the most remote degree. At the failure of the firm to which he alluded, after allowing for some debts which had been contracted, and which remained unpaid, there remained no less a sum than 30,000*l.*—a debt contracted very recently indeed — for clothing sent out to the different estates of which the firm were possessed, notwithstanding the depressed condition of their receipts. These facts were the best refutations that could be offered of the statements which appeared in that letter; they were facts which unquestionably ought to induce every Member to pause before he gave credit to statements circulated with the view of creating a strong prejudice on this subject, and of inducing hon. Members to believe, that the colonists had no other cause of complaint, no other source of evil, than what they themselves conjured up. He was quite satisfied that the West-India merchant would himself be the first person to rejoice if this were the case. If, therefore, it was not in the power of these planters to alleviate the evils under which they laboured, at least it was in the power of this country, looking to their interests, to reduce the burthens which they suffered, and, above all things, to abstain from doing that which would have the effect of increasing them. He had already trespassed too long on the attention of the House in bringing forward this Motion, the object of which was, to enable them to decide between two contending parties. The interests of the colonies and of this country were closely united, and this fact had been frequently overlooked by those who were engaged in colonial business. The colonists had begun to fear that they had ceased to be an object of care and protection to England; that legislation with regard to them was directed by certain persons who had in view only certain objects, and they were confirmed in their apprehensions of the indisposition that existed to entertain their grievances, and of the little consideration which was bestowed upon their relief, by the disposition of the Government with regard to the adoption of new measures. If his Majesty's Ministers had seen the various resolutions which had been adopted in almost every parish in Jamaica—parishes for the most part as large as a moderate-sized English county—they must have seen that, singularly enough, this very circumstance was pointed out and argued upon. Those persons considered, that the aversion manifested to inquiry was a further proof of their being thought no longer worthy of the consideration they formerly enjoyed, and which they were entitled to receive. He had now brought before the House the grounds upon which he objected to this Bill—at least, till an inquiry should take place. The tendency of the Bill was, to increase the foreign slave-trade, to increase the cultivation of foreign sugar, and to encourage its being brought to the English market. Upon the fact alone of its encouraging the slave-trade, independently of its injurious effects upon our own colonies—independently of its effect in taking away their market—he should oppose it. It was capable of being demonstrated before a Committee, that on account of the proportion of molasses found in clayed sugar from the Brazils, a great portion of refined sugar might be obtained from it. The effect of the law was, to enable the foreign refiner to export what would satisfy the terms of the law, and yet leave in this country an article that ought not to be left. To use the language of the respectable merchant who addressed the noble Lord opposite, if there be 800 tons of foreign sugar imported into Great Britain and refined, an excess of 100 tons would enter into the market. He did not enter into the details of the process by which this result was obtained, as they ought rather to be the subject of discussion in Committee. The Vice-President of the Board of Trade proposed to certain West-Indian merchants and sugar-refiners of Liverpool, that an experiment should be made in fourteen days—a period of time he should not think sufficient—to ascertain the actual quantity of refined sugar which might be obtained from the foreign clayed sugars. The merchants were ready to submit to that experiment, but the refiners refused to do so. There was another circumstance, also, which the Vice-President of the Board of Trade might be able to explain. He had a very great respect for the Liverpool merchants, but the right hon. Gentleman seemed to have forgotten that there was in London a considerable body of planters, of West-India merchants, and of others connected with the West-Indian interests; but not the slightest communication upon this subject had been made to that body till Wednesday last, when it was to be brought before this House. Unquestionably, those persons who were in the habit of receiving all communications made by the Government to the West-Indian body, received no communication on this subject till the period he had mentioned. In fact, the right hon. Vice-President of the Board of Trade had been rather more in communication with the refiners than with the West-Indian merchants, and his mind had received from those communications a bias he could not get rid of. If it were not so, he could never have thought, in the early part of this year, of giving that promise on which the refiners were now relying, and which induced the right hon. Member to press on this measure in spite of the destruction with which it threatened the West-Indian interest. He wished that when the Vice-President of the Board of Trade was looking to the West Indies, he would forget some of his favourite principles of political economy, and would indulge in a little historical research as to the mode in which these colonies had hitherto been treated, and the extent to which they had contributed to the power of this country. He seemed, however, at once to have listened to the refiners, and to have imagined that the introduction of foreign sugar took place without any advantage to the foreign grower. The simple fact, however, that he brought it here, was a sufficient proof, if proof were wanting, that it was to his advantage to have this market open, even for the purpose of refining. If it be an advantage, it ought not to be granted to him; for he cultivated the soil by means of slave labour, and continued that trade which England professed to put down, upon which there were heavy penalties, and which, for any British subject to engage in, was felony. But without going into any further arguments, sufficient facts were now before the House to induce it to reject this Bill, which would be but an act of justice, called for by the magnitude of those interests—called for by the difficulties and distresses under which the colonies laboured, and to induce it, at least, to grant a Committee of

Inquiry, for the purpose of ascertaining whether this measure be not productive of injury to the great body whose cause he advocated. He moved as an Amendment, to leave out from the word "that" to the end of the question, in order to add the words "a Select Committee be appointed to inquire how far the permission to refine foreign sugar in this country is opposed to the interests of the British West-India colonists, and proves an encouragement to the continuation of the foreign slave-trade," instead thereof.

The Amendment having been put,

Mr. *Poulett Thomson* said, the hon. and learned Gentleman who had just sat down, devoted a considerable portion of his speech to a paper brought under the notice of the House, and to the general question of West-Indian policy. To that portion of his speech he should not make any reply, but should occupy the time of the House as shortly as possible on the subject immediately before them, namely, whether a Committee of Inquiry should be appointed, or whether the House should be content to receive this report. Another portion of the hon. Gentleman's speech, indeed the main portion of it, was addressed to the question of the foreign slave-trade. In scarcely anything that he had said upon that subject, did he (Mr. Poulett Thomson) differ from him; although he should rather have supposed that the hon. and learned Gentleman, in taking the view he did of that question, had been making a speech prepared for the motion he intended to have brought forward last night, than for that actually brought before them on this occasion. With the arguments or statements of the hon. Gentleman with respect to the foreign slave-trade, he had nothing to do, for he could not agree that the measure proposed by his Majesty's Government went to increase the foreign slave-trade, and materially to benefit the grower of foreign sugar. The hon. and learned Gentleman had made many assertions upon that subject; he had addressed many touching arguments to the House upon it, and had most adroitly endeavoured to excite in his favour the sympathy of all those Gentlemen who generally took part against him. But the hon. and learned Gentleman, whilst he dealt so largely in assertions, had omitted to adduce one single argument upon which he could ground those assertions; and in the course of his whole speech, had stated but one solitary fact upon which he pretended to rely. To this he should have occasion presently to advert; but first, in reply to the hon. and learned Gentleman's assertions, he would deny, in the most positive terms, that the measure proposed had any, even the remotest connexion, either with the foreign slave-trade, or with the interests of the West-Indian colonists, which was the entire assumption of the hon. Gentleman. It was apparent that the effect he spoke of could only be brought about in one of two ways; either that the measure of the Government went to raise the price of foreign sugar, and thus operated as an inducement to its growth, or that it would add to the consumption of foreign sugar, and thus, also, be an inducement to the foreign planter to grow it. On these two points the hon. and learned Gentleman had completely failed in making out any case whatever. It would be his duty, however, to show that neither of these two effects could, by possibility, arise from the measure they now submitted to the House. If they could not, it was impossible that any of the other evils could occur. But before he proceeded to that part of the subject, he had, perhaps, better address himself to some observations which the hon. and learned Gentleman applied personally to him, as regarded the office to which he had the honour to belong. The hon. and learned Gentleman said, that he (the Vice President of the Board of Trade) must have had greater communications with the refiners, and lent a more ready ear to their suggestions, than to those of the West-Indians. But if he were to compare the number of days and the number of hours devoted to conferences with the West-Indians, with the few interviews he had had with the refiners, the balance would be ten to one in favour of the West-Indians. The hon. and learned Gentleman then said, that had it not been for the interviews he had had with the refiners, the ready ear he had lent to their statements, and the deaf ear he had turned to the refutations of the West-Indians, he would have hardly made the promise which this Bill was intended to redeem. The hon. and learned Gentleman had not, however, stated the facts of the case. In the interviews he had had the honour of holding with different parties on this subject, he had carefully abstained from making any pledge or promise for the renewal of this Act. It was not until the month of

April or May, after an application to the Treasury to know whether this Act should be renewed, and after having offered his advice that it should be, and after having communicated to the West-Indians that it would be renewed, that the same communication was made to the refiners. The hon. and learned Gentleman went on to say, that negligence was evinced by the Government and by the Board at which he had the honour to hold a seat, in not being sufficiently ready to try that experiment which was to settle the points in dispute. The hon. Gentleman added, that when the Government sent down to Liverpool, and desired the experiment to be tried there, the West-Indians agreed to abide by it, but that the refiners would not, and that the Government had forgotten that there was such a body in London as the West-Indian proprietors. When the hon. member for Cricklade put a question, on a former occasion, on this subject, he was not informed upon it, and could not give him an answer; but he had since made inquiries, by which he learnt that orders were sent to the Customs at Liverpool to propose the trial of the experiment there. The subject was mentioned to the West-India merchants of that town, who, without any details having been gone into, certainly agreed to the proposal. The refiners were then applied to, and they agreed to submit to the experiment with pleasure, but then arose the question of how it was to be tried. If it were to be tried like a chemical experiment, upon a small scale—say with not above a ton of sugar—they said it would not give the true results; and if upon a more extended one, that all their works were fully employed, and that they could not, without inconvenience, spare room for the experiment. They added, however, that they only wanted the experiment to be tried upon a large scale—that they did not want it done under their inspection—that it might be tried in London, where a sugar-house could be hired for the purpose, under the inspection of the Government, and that they would be bound by the result. That was a sufficient answer to the statement that the Liverpool refiners had refused to have the experiment tried. With respect to the charge of no communication having been made to the London merchants, that statement would best be answered by a letter from an officer of the Customs, written in answer to an inquiry made upon the subject. It was with one extract only that he should trouble the House:—" On the receipt of the letters from the Treasury and the Board of Trade, relative to the experiments proposed to be instituted, with a view to ascertain the quantity of refined sugar obtained from raw sugar, I communicated the contents of the same to Mr. Laurence, Chairman of the Committee of Sugar Refiners, and to Mr. Daniell and another gentleman largely connected with the colonies, on behalf of the West-India merchants, and it having been suggested by Mr. Daniell that the subject should also be communicated to the Committee o. the West-India planters, I called several times at their office in St. James's-street, and at last succeeded in meeting with Mr. Saintsbury, their Assistant Secretary, to whom I exhibited the letters relative to the proposed trial, and communicated the substance of my previous conversations with Mr. Laurence and the other parties on the subject. I also, at the suggestion of Mr. Saintsbury, made a written communication to him, setting forth the manner in which it was proposed that the experiments should be tried. I have since seen Mr. Branker and Mr. Laurence—the former states, that, although he and the other refiners at Liverpool declined to make the experiments upon a small chemical test, because they considered it impracticable, and further, because all the sugar-houses in that town were too fully engaged to admit of either of them being spared for an experiment, yet that he and the other sugar refiners had not the least objection to the experiment being made on a large scale, and were willing to abide by the result of any such experiment that might be acquiesced in by the refiners in London. Mr. Laurence states, that he also is of opinion, that the experiment, to be fairly made, should be on a large scale; that although he conceives it would be attended with difficulty, he is convinced that the trade in London would have no objection to the trial being made." [Mr. *Burge* asked the date of the communication.] The date was not mentioned, but the expression in the letter was " immediately." After all these efforts, then, to have the experiment satisfactorily tried, a heavy charge was brought against the Government for not proceeding more rapidly with an experiment on the result of which this Bill was not to depend. But the House would be surprised to hear, that when the proposal formally came before the West-Indian Committee, it refused to agree to the experiment. [The Marquis of *Chandos* wished the Resolution to be read.] Before doing that he would repeat his assertion, that the West Indian body refused to be bound by the result of any inquiry that might be gone into. Here was the resolution:—

> "At a meeting of the Standing Committee of West-India Planters and Merchants, held the 27th of September, 1831, the Marquis of Chandos in the Chair, it was unanimously resolved—
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> "That no written communication repecting the proposed experiment in the refining of sugar, was made to the West-Indian interest connected with London, until the 23rd instant, being nearly three weeks after the same had been made to the West India merchants and planters, and the sugar refiners of Liverpool; nor until after the refiners of the latter port had intimated a refusal to join in such an experiment.
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> "That the question of the foreign refinery, so deeply affecting the very existence of the British West-India colonies, is now before Parliament, and under the management of persons who are fully convinced of the justice of our case, and capable of explaining it—and that, until the House of Commons shall have come to a decision on the subject, or the Bill be withdrawn, we consider that it would be premature in this Committee to enter into any engagements for joining in the proposed experiment."

What was this but a refusal, for the present, to be guided by the experiment? His hon. friend said it was dated yesterday. Why the House might decide that night that this measure be persevered in, but it might not be carried through the House for three weeks, perhaps for a month, and might be for some time in the other House. These enemies of delay, then, would not consent to an experiment which they before appeared so anxious about. The whole question in that respect fell to the ground, or there was gross inconsistency in making the charge against the Government which had been brought forward by the hon. and learned Gentleman. Having now touched upon those parts of the hon. and learned Gentleman's speech concerning himself, he would proceed to those parts of his address which referred more immediately to the question before the House. He had stated that the hon. and learned Gentleman had failed to advance any argument to show why the price of foreign sugar should be raised, or its consumption increased, by the measure now introduced to the House, and failing in that, he could not shew how either the West-Indian interest could be affected, or the slave-trade promoted by it. It was to that point that he wished, in the first instance, to direct the attention of the House. His condition was rather a curious one, owing to the mode in which the hon. Gentleman had brought forward this question. It had been the custom of the House, when such a resolution had been carried, to allow a bill, the details of which were important, at once to be brought in; but now he was compelled to argue the details of a Bill not yet before the House. It was true, that the Bill was nothing more than the renewal of an old Act; but Gentlemen were not in the habit of turning to old Acts of Parliament, so that few were acquainted with the details of the subject now before the House. The hon. and learned Gentleman opposite, indeed, was an example of the inconvenience of which he complained, for he exhibited, in one of his arguments, how completely he was himself ignorant of the Bill which he opposed. He brought it as a charge against the refiners, that they had evaded the law, and had actually introduced foreign sugar for consumption into this country in defiance of it. But what did the Act authorize them to do? The Act said, that for every cwt. of sugar they imported, they should export a similar quantity, but it did not say that it should be identically the same sugar. Foreign sugar, therefore, might be imported and consumed, provided an equal quantity of West-India sugar were exported. They had not, therefore, evaded the law, but had only done what the law allowed them to do; and when the hon. Gentleman made the assertion he did, he could not have known what the law really was. Before he proceeded further, he would remind the House what the principle of this measure really was. Its principle was one that had been recognised by the Legislature over and over again. It had been recognised in the articles of cotton, of silk, and a variety of others. It was this, that the raw material should be brought into this country to be manufactured, and that the produce, or an equivalent for it, should be exported to foreign countries. Gentlemen were well aware that sugar was not refined to any extent in the countries in which it was produced; it was brought in a raw state to be refined in

Europe. The object of this Bill was, to admit foreign sugar into this country to be refined, and then exported for consumption abroad, instead of driving it to Hamburgh or Amsterdam for that purpose. It must be apparent to every one, that if a ship-load of foreign sugar be landed in the Isle of Dogs, refined there, and then again embarked on board the same ship, to be carried to some other port of Europe, the transaction could not have the slightest, the most remote effect upon the sugar, or price of sugar, sent by our own colonies to this country for consumption. It was impossible, however, to make an arrangement which should exactly correspond to the imaginary operation he had described as taking place in the Isle of Dogs. Mr. Huskisson tried it: the right hon. Gentleman opposite had the subject under his consideration; but both found it impossible to confine the operation within four walls. It was necessary, therefore, to adopt some plan which should have that effect, without its actually being so. In explaining this subject he must entreat the close attention of the House for a short space; for although the subject was intricate to those not acquainted with it, yet, as it was a simple matter of calculation, he hoped to be able to make it clear. It was well known to hon. Gentlemen, that all the sales of West-Indian sugar were noted, and an average *Gazette* price struck off. It must be clear likewise to every hon. Gentleman who had looked into this question, that the price of sugar on the Continent, and the price of West-Indian sugar here, must be the same, because a large surplus of West-Indian sugar was imported, which had to be sold on the Continent; so that the price of sugar in London was the price of all sugar of the same quality, whether foreign or West-Indian, in the ports of the Continent, making allowance however, in calculating what sugar in bond here would fetch on the Continent for the difference of the freight. West-Indian sugar, whether for refining or consumption, paid a duty of 24*s.* If it was refined, a drawback was allowed on the refined sugar, and the bastards calculated to be equal to the 24*s.* duty paid. This principle was applied to the Act before the House. Foreign sugar, of which they knew the value to be exactly the same as sugar from the West Indies, was admitted for the purpose of refining in this country. He might be asked, what security there was, that foreign sugar, thus introduced for refinery, was really only of the same quality and value as West-India sugar? There was this security—the refiner, or any one entering foreign sugar for refinery, was obliged to declare the value of that sugar; and if he declared under the value, the Custom-house officer, or any one, might take it off his hands, or underwrite it, as the term was. There was but one price for foreign and West-India sugar of equal quality in this market, or abroad, and if the Custom-house officer found that it had been entered at too low a value by the refiner, it was his interest to take it at that low value, and send it abroad for sale on his own account. This was the check introduced in a variety of other cases; in all those cases in which *ad valorem* duties were levied, and it had never been found to fail. It was impossible for the refiner to introduce foreign sugar which yielded more, or which was of greater value, than the British West-India sugar, unless by paying a higher rate of duty, or receiving a less drawback upon its export. This check, he contended, was perfect; but there was another circumstance to be taken into account to which he must advert. He had stated, that the price of West-India sugar in this country must be regulated by the price abroad, because England exported a surplus; but nothing but refined sugar was exported; and it was not the price of raw sugar abroad, but of refined sugar, which regulated the price at home. Out of one cwt. of raw West-India sugar, there was produced a certain quantity of refined sugar, of bastard, and of treacle. Treacle in England was more in demand, and bore a higher price than that article did on the Continent. The English refiner was enabled to sell his treacle at a higher price in England than he could on the Continent; and the effect of this was, to enable him to give a higher price for raw West-India sugar than the foreigner was able to give. The treacle selling in this country at a higher price than abroad, had the effect, on British West-India sugar, of raising it in price from 2*s.* 6*d.* to 3*s.* per cwt. In other words, the refiner for home consumption could afford to pay 3*s.* per cwt. more for his raw West-India sugar than the refiner for foreign exportation, who was obliged to send his treacle abroad. There was a real advantage, then, to the refiner of British West-India sugar of from 2*s.* 6*d.* to 3*s.*, and it was proposed to insure to him the full advantage of 3*s.*, which would place him on the footing of superiority always intended. The power of the Custom-house officer to underwrite, if too low a value were set upon foreign sugar entered for the purpose of being refined in bond, was a sufficient check that the full value would always be declared; and it was impossible that any particle of foreign sugar should be refined without intending it for exportation. He would just state a calculation which illustrated the point he had been arguing. He would take one cwt. of British West India sugar at 24*s.*, and one cwt. of foreign at the same price, producing the same quantity, or sixty-one lbs. of refined sugar, eighteen lbs. of bastard, and twenty-eight lbs. of treacle. The refined sugar and the bastard (the produce of the British West-India sugar) were both sent to a foreign market and sold for 42*s.* The refiner had twenty-eight lbs. of treacle, which he disposed of at home for 6*s.*, making in all 48*s.* The person who refined sugar in bond, on the other hand, though he got the same price for the refined sugar, was obliged to export his treacle, for which he received only 3*s.*, which, added to 42*s.*, made 45*s.*, whilst the refiner for home consumption made 48*s.*, or, in other words, the refiner for consumption at home got 48*s.* for what the refiner for consumption abroad got only 45*s.* The refiner for home consumption, therefore, could afford to pay 3*s.* more to the West-Indian, and that was an advantage preserved to him by this Bill. By allowing the Custom-house officer to underwrite at 3*s.* under the value of the sugar entered, it was put out of the power of the refiner of foreign sugar to do the refiner of British West-India sugar any injury. It was a great mistake, therefore, to suppose, that allowing the importation of foreign sugar for refining was an injury to the West-India refiner. Those who had attended to this tedious subject would bear testimony to the difficulty of it; and to them, at all events, he must have made himself understood. It was impossible the price of foreign sugar could be increased by being refined in this country, and there could be no stimulus given to its production, and such being the case, it must follow, that the West-Indian sugars could in no way be affected by the measure. The hon. Gentleman had spoken of the large quantity of foreign sugar imported this year. He said, that there were 8,000 boxes of foreign sugar in bond this year; whilst there were only 4,000 the year before! Why, did he not know that the vast increase in the importation was owing to the bonding system, which made this country the *entrepôt* of the world? The unsettled state of the Continent had greatly increased the quantity in bond. Merchants not wishing to expose their property in Antwerp or Hamburgh, sent it here only to be bonded and re-exported as required to the different ports of Europe. This large quantity of foreign sugar neither was, nor would be used here. The importation of foreign sugar had always exceeded the demand because it was meant for exportation. There had been, however, no time since 1828 when there were less than many thousand boxes of foreign sugar bonded. It came here it was true, but not to be used here. It was only of late years that it had been used at all by refiners in this country, and now only to a small extent. If the hon. Gentleman's assertion was correct, that so great an advantage might be derived from refining foreign sugar for exportation instead of British West-India sugar, why had the refiners closed their eyes to this advantage for so long a time? If 82 lbs. of refined sugar instead of 61 lbs. could be produced out of the cwt., would not the foreign sugar, yielding so large a proportion, come at once into the market? He held in his hand a paper which contained a return of the foreign sugar used in London by the foreign refiners. The hon. Gentleman opposite had moved for this return, but finding it did not answer his purpose, he had not referred to it. According to this return, how many refiners had used foreign sugar? Since 1828, the owners of only seventy-one pans—he took the owners of pans rather than refiners—had used foreign sugar. There were 250 pans in London, so that only a small proportion, not quite one-third, of the refiners that had pans had tried it at all. But how was it this year? Had the number of those who used the foreign sugar increased? The experiment had been tried by a person whom he would distinguish by the letter A, once, but he never used another ton. B tried the experiment four times, and then left it off for four quarters. Another refiner tried it for five months, and never used it again; and so on. Numbers had tried the experiment and abandoned it, and some few were still trying it. But if that great advantage should accrue which the hon. Gentleman had described—was it likely that those who had tried it for three months and twelve months should then abandon it? Could the House suppose that this could have occurred if so enormous a profit was to be made, by using foreign sugar instead of British West-India sugar? But had there been a great falling off in the importation of British West-India sugar, or of the quantity of British refined sugar exported? From the account of the quantity of British refined sugar exported for three years previous and three years subsequent to the passing of this Refining Act, it appeared, that there had been an increase in the importation of raw sugar as well as in the exportation of refined British West-India sugar, since the passing of the Act which it was contended operated so injuriously. Taking the average of the three years, 1825, 1826, and 1827, before the passing of the Act, the quantity of British West-India refined sugar exported, calculated in raw sugar, was 610,000 cwt., the average quantity of raw sugar imported in those three years was 4,145,000 cwt. The proportion exported, therefore, to the quantity imported, was as 14¾ per cent. Taking the average of the three years 1828, 1829, and 1830, the quantity of British refined sugar exported was 872,000 cwt., and the whole quantity of colonial sugar imported was 4,879,000 cwt., being a proportion of eighteen per cent. This increase took place during the operation of this Bill, which, it was contended, diminished the use of British West-India sugar, by refining foreign for exportation. There had been a considerable increase in the quantity of the West-India sugar imported, and an increase amounting to twelve per cent on refined sugar exported, as compared with raw imported, in three years subsequent to the passing of the Refinery Act. This was a complete answer to the assertion as to the injurious effect of this measure, in diminishing the consumption of British West-India sugar. The single fact stated by the hon. Member, as he said, on the highest authority, referred to the produce of foreign sugar in refining as compared with British West-India sugar. What the hon. Member considered the highest authority he knew not; but when the subject had been most attentively considered and investigated in the presence of all the persons concerned, including the person from whom the hon. Gentleman had his information, none of those persons could make out the case he had stated. No one but a refiner could state of his own knowledge what the foreign sugar produced, and no one could state that he knew a cwt. that produced more than sixty-one lbs. There was a gentleman from Glasgow who made an opposite statement, but this gentleman subsequently wrote to those who bought sugar for him in Liverpool, to say that he did not intend to continue refining foreign sugar. Now, if a cwt. of foreign sugar yielded eighty-two lbs., whilst the refiner was only bound to pay the duty on sixty-one lbs., no merchant would abandon so profitable a speculation. If all the profit the hon. Gentleman supposed could be made, or were at all likely to be made, the House might be satisfied that the refinery of foreign sugar would be carried on to a much greater extent. The hon. Gentleman's fact—for he only brought forward this solitary fact—thus came to nothing. It was impossible to give better proof on this subject than the little use which was made of foreign sugar; for if the parties were convinced that such an advantage would arise from refining foreign sugar, nothing could prevent all the foreign sugar of the world coming here to be refined. With respect to the argument as to the employment of British capital, he begged to remind the House, that British capital to an immense extent was now employed in the sugar business. A large amount of British capital was of necessity employed in the Brazils, where it was invested in sugar, which was sent to Antwerp, to Hamburgh, and to Amsterdam. Two or three millions of British capital went annually to the Brazils, which must come back in sugar, for there was nothing else in which it could be profitably invested. If any Gentleman would turn to the state of our trade with the Brazils, he would see that our exports to that country exceeded our imports, annually, by from two to three millions. The balance, of course, came home in something; and it really did come in sugar, though not to this country first, This argument, therefore, fell to the ground. The hon. Gentleman made an assertion on this subject on a former occasion, which it was due to a large body of respectable individuals to explain. He said, "Would you involve the interests of millions for the sake of advancing interests to the extent of 200,000*l*. or 300,000*l*.?" Instead of 200,000*l*. or 300,000*l*., there were 2,000,000*l*. or 3,000,000*l*. of British capital invested in the refining trade. He would ask his hon. friend, the member for Sandwich, or any other Gentleman, equally well acquainted with the trade, whether, if there were only 200,000*l*. or 300,000*l*. invested in it, they would be inclined to trust the refiners, or to give them the large credits which they did? He hoped that he had proved to the House that this measure might be adopted without injury to the West-India interest; at the same time that the refiners of sugar must be greatly benefited by it. Another advantage which might be expected to result from this measure was, the benefit which it would produce to the shipping interest. Indeed, he wondered this was not seen by those Gentlemen who generally took a part in favour of the shipping interest. He would call on his hon. friend, the member for the city of London, who was generally warm in the cause of the shipowners, to say whether he was not favourable to this measure? He must know, if he had considered this subject, that the importation of foreign sugar for refining was most beneficial to the interests of the British shipowners. A large amount of British capital was invested in the Brazils, the returns of which, principally in sugar, were sent to almost every port in Europe. In this voyage the American and the Dutch ship-owners, and the Hamburghers, came into competition with our shipowners. The Americans, too, our great rivals in maritime commerce, had an advantage. As regarded his ships, the American might be said to be a sort of citizen of the world. When he was in Hamburgh, he was as near home as if he were in any of the ports of Great Britain. But it was not so with the British shipowner. He was not at home when he got to Hamburgh, and he asked a higher rate of freight than the foreign shipowner if he brought his ship to any foreign country. This measure, however, gave the British shipowner the power of competing successfully with the foreign shipowner. A greater rate of freight was paid to the English shipowner, for sugar coming in foreign ships could not be put in bond for refining. To that extent, therefore, there was an encouragement to the British shipowner, and this trade afforded employment every year to 40,000 or 50,000 tons of British shipping. The hon. Gentleman had continually used the expression of "the British market." Ordinarily that meant the British market for consumption; but this Bill did not affect the British market for consumption—its effect was merely giving room for the establishment of works for refining for exportation. Under all the circumstances, he hoped the House would concur with him that there was sufficient ground to proceed without a Committee. If a Committee were granted, this attempt would be defeated. The first step of that Committee must be, to go into the investigation which had already taken place before the Board of Trade. This would lead to a trial of the experiment to which he had alluded; and, in the mean time, for a couple of months at least, this Bill would be hung up and its object totally defeated. They were told, indeed, by the hon. member for Cricklade, that even if this measure did not affect the West-Indian interest, it should not be passed, because they believed that it did, and that out of pity to their feelings they ought to abstain from carrying it into effect. He did sympathize with the distress under which the West-Indians were suffering; but he did not agree with the hon. Member as to the cause of that distress, and he hoped, as the House must be satisfied that this measure would not affect their interests, that it would not injure the interests of others, by refusing to pass this measure. He should, therefore, persevere in pressing upon the House the propriety of adopting the measure, at all events, for one year.

Mr. *Goulburn* said, it was not his intention to detain the House at any length upon this question, because it lay in a very narrow compass. The simple question was, whether, before they legislated on this measure, they should or not enter into an inquiry upon the subject? He did not mean to follow the right hon. Gentleman opposite through his very able speech; but, at the same time that he admitted the ability of his speech, he saw not the slightest argument for not granting the Committee, because he himself happened to be satisfied with those minor details into which others thought it necessary to enter, and which every man must make himself master of; he said it was a subject of difficulty, and therefore these details could only be examined in Committee. There was no question more difficult for Gentlemen to decide upon than the mode in which two contending interests were to be treated, so that neither might be injured; and it was frequently extremely difficult, when so placed, to accommodate the differences, or satisfy the parties that justice had been done. If any differences of that kind existed between those engaged in the refining of sugar, and those engaged in its importation, it was not the mode to conciliate by treating them lightly, particularly when they related to the welfare of our colonies. It was impossible to entertain a hope that either party would feel that their interests had been attended to, when the House refused to go into an inquiry upon the subject. The measure they were now considering, was introduced about four years since by Mr. Huskisson, on his principle of free trade, and as being calculated to benefit the West-India party. It was just possible that benefit would follow the adoption of the measure. But those interested on both sides made a representation to Government—the West-Indian expected the exclusion of foreign sugar. It was said the quantity of foreign sugar imported was so extremely inconsiderable, that it could not affect the interest of the sugar refiner on the one hand, nor would it take from the consumption of West-India sugar on the other; and when it fell to his lot to attend to these questions, he did, in his communication with both parties, consent so to look into the matter as to give the probability of the introduction of Brazilian sugar, in order that the experiment of Mr. Huskisson might have a fair trial. When that experiment was introduced, there were communications made by both parties. The West-Indian complained, indeed, that the reduction of the duty imposed on foreign sugar would be prejudicial to him, but the sugar refiners stated, that they did not consider the measure of importance; and they said that there was no particular desire, one way or the other, on the part of the refiners, and there was no decided opposition on the part of the West-Indian. But what were the circumstances now? The right hon. Gentleman intended to introduce a higher rate of duty; yet what was the feeling of the two parties? The sugar refiners were anxious to receive the sugar on the diminished duty; but what was the feeling of the West-Indians at that period? They felt no considerable alarm; now they felt considerable apprehensions as to the result. Proceeding on their information, his hon. friend said, the experience they had had of the last measure, determined the Ministers — one party pressing, and the other party opposing it —to adopt the present measure. Was not this circumstance of the great difference of opinion between these parties a sufficient ground to insist on an inquiry, to see whether the difference did not arise from a conviction, that it would tend greatly to the advantage of the one, and to the exclusion of the other? He had seen advocates from both parties, as well as their calculations; and he had not been able to decide why the measure was formerly of such little consequence, and now of such great importance. The right hon. Gentleman opposite said, this measure could not injure the West-Indians, but this could only be ascertained by inquiry. The right hon. Gentleman said, during the three years antecedent to this, it was 610,000 cwt., and during the three years subsequently, 870,000 cwt., and wished them to draw the inference, that the application of the Sugar Refining Act had tended to increase the exports of raw sugar. But that increase of the exports might be accounted for in a different manner. The sugar duties were reduced in July, 1830, and then the drawback continued till October, 1830, upon the rate of the higher duty enforced previously to July—therefore there were three months during which it was the interest of the refiner to avail himself of the increased drawback, and during that period exportation was considerably in favour of the refiner of sugar. This was a fact which met, in a great degree, the argument of the right hon. Gentleman opposite. It was true that an inquiry must delay the passing of the measure; but that was the case in all inquiries, and was not a fair argument to be used by the opposite side of the House, as it was their fault that no notice had been given of their intention to renew the Act early enough to allow time for inquiry.

Lord *Althorp* said, the hon. Gentleman opposite had very strongly urged that this measure should be referred to a Committee; but it must appear clear to every Gentleman, that going into a Committee of Inquiry at the present period, would make it impossible to pass the Bill during the present Session. Hon. Gentlemen said, they ought to have brought the subject forward earlier, and have gone into a Committee before; but would hon. Gentlemen recollect, that when, at a former period, Ministers offered to have a full inquiry upon all topics connected with the West Indies, they refused? Could the hon. Gentleman deny the fact, that when a proposition to that effect was made, he had said he was perfectly ready to consent to a Committee of Inquiry, and that it was then stated, that the information already before the House was sufficient, and that they ought to reduce the sugar duties without going into any further inquiry? With respect to the inquiry, he had not the least objection to a Committee; all he objected to was, that the Bill should stand over until that inquiry had been gone into. If, therefore, hon. Gentlemen wished to have as full an inquiry as they could have, a Committee for that purpose might be appointed; and, in the mean time, this Bill might be continued for one year, while this inquiry was pending. The right hon. Gentleman said, that his right hon. friend made an unfair statement in taking the exports of the last year, and the right hon. Gentleman had assumed that this was not according to strict justice, because, in the last year, the exports were much greater than in the preceding years; but if each year was taken separately, it would be found that a considerable increase of exports had taken place since the Bill was passed.

The Exports in 1825 were 549,000 cwt.
" 1827 " 695,000 "
" 1828 " 776,000 "
" 1829 " 803,000 "

This did not prove that the effect of the measure was to increase the exports. The right hon. Gentleman said, and it had been urged very much by other hon. Gentlemen, that by this measure they caused an unfair advantage in favour of foreign sugar, because it had come into the British market in such increased proportion. It had become more advantageous in consequence of the rise in the price of refined sugar. It was necessary to go a little into detail upon the subject, and it might be made out very easily without any laborious inquiry. In their opinion, the value of raw sugar varied according to the quantity of refined sugar. The prices must be regulated according to the quantity of refined sugar; therefore, if the same quantity of raw sugar produced the same quantity of refined sugar, it would be at the same price in the English market, but the West-Indian having the advantage of exportation would make it in his favour. The West-Indian had the advantage of treacle in the British market, and, therefore, when sugar was estimated by value, the West-India sugar, producing an equal quantity of refined sugar, would be at a higher price than the foreign sugar producing the same quantity; but if the same price be given for West-India sugar and for foreign sugar, it necessarily followed that the foreign sugar would produce a greater quantity of refined sugar than the West-Indian; therefore, the whole difference depended on the price of treacle—treacle had risen in price, and consequently, the value of refined sugar had risen. For these reasons an allowance was made of 2*s.* under the former Act, but now treacle had not risen in price to make it equal, and therefore they proposed to increase this difference to 3*s.* The hon. Gentleman said, when this measure was passed before, neither the refiner nor the West-Indian merchant cared much about it; but the experiment having been tried, the refiner had found the advantage, but it could never have been intended that a bill should be passed that was to be inoperative. It shewed the measure was proper, because it had carried with it an advantage. The West-Indians were to derive a portion of the advantage, and they were alarmed at the statement—they were in the greatest possible state of distress, and in consequence of that, they took alarm on occasions they ought not. The hon. Gentleman said, if it was merely a question of feeling towards the West-Indians, you ought not to pass the Bill without an inquiry. If this was a question of feeling alone, and did no injury to any other party, he should readily agree with him, that where a body of persons were in distress, and by making allowances to them you injured no other men, it was a fit reason so to act; but that was not the case. If this Bill, in consequence of which parties had embarked their capital, were now stopped, that would injure them. If there was any advantage, it was not to the prejudice of the West-Indian. The only mode in which the English refiner could derive any advantage was, that in refining, not only foreign, but West-Indian sugar, that quantity of sugar which the refiner was bound to export, was less than he received. If foreign sugar produced a larger proportion of refined sugar than West-Indian sugar, it must bring a larger price in the market in proportion to the additional quantity of refined sugar produced; if it did this, the price must be higher, and if the price be higher, then the refiner, instead of being called upon to export the same quantity, was called upon to export a larger quantity; therefore, as the value was the test which regulated its price, so long it must be apparent that there could be no disadvantage from this measure. As long as so large a quantity was exported, the price must depend on the price of that exported. Thus, the effect produced could have no injurious consequence upon the West-India sugar. Under these circumstances, they were perfectly ready to grant any inquiry hon. Gentlemen might desire, provided they did not object to allow this trade to go on without interruption. He must press upon the House the propriety of passing this measure at the present time. This trade, which had been going on for some time, was proposed to be interrupted immediately, without giving any notice to the parties, although, having had no notice to the contrary, they had every reason to expect the Act would be renewed. That would be doing great injustice to them, and as no reason could be assigned for it, he could not consent to its being done.

Mr. *Robert Gordon* had always thought the great advantage of inquiry was for the purpose of laying the foundation of legislation. He feared that, after this year, the noble Lord would be troubled little more with any interposition on the part of the West Indies. If his Majesty's Ministers persevered in shewing the same system of indifference to the distress of the West-Indians, their power of interference would cease to exist. When it should appear that the House had refused to grant an inquiry into a measure which the West-Indians thought would alleviate their distress, the strong feeling which existed would produce consequences which would lead to a dissolution of our connexion with them. But the noble Lord had been pleased to say, that it was hard to take away the advantage from the refiners without notice; he seemed to think their claim paramount. It had been explained that, until the last year, no effects were produced; and now the effects had been produced, the refiner was anxious the measure should be continued. He was not prepared to enter into those details which had excited the attention of the House, but the circumstance which had been mentioned was a proof of the business not answering. The noble Lord said, the West-Indians declined going into a Committee of Inquiry; but it was not on this subject, but on the reduction of the duty. He was not surprised that his noble friend, with whom he had acted so many years, had objected to this Committee; but he would have acted more fairly if he had said, "We are determined to ruin the West-Indians." He believed their doom was fixed, and that, unless the House exerted itself, nothing could rescue them from ruin. He saw that some hon. Gentlemen had a sort of sympathy for the West-Indians. He would endeavour to do his duty to those who were interested, with many of whom he was connected. And he hoped the House would do its duty, by endeavouring to protect the interests of the British colonies.

Mr. *Maberly* thought the course recommended to the House by the noble Lord, was the most advantageous that could be adopted. What was the whole amount of foreign sugar used by the refiner? It did not exceed 130,000*l.* per annum, taking it on the calculation of the last year, which was so trivial that he was surprised that the West-India interest should object to this measure, and in doing so they were not looking to their own interests. The hon. Gentleman had entered into a long argument, which went to this point—that the introduction of foreign sugar increased the slave-trade. He was ready to admit, that the West-India interests were in a most extraordinary situation, arising out of the particular laws under which they were placed, with respect to their employment of slave labour, and the treaties made with other States for its abolition, which had not been observed, or which the Government had not the power of enforcing; and which non-observance, or non-performance, enabled the foreign sugar producer, not only to compete with ours, but to bring into the foreign market sugar at so low a price, that the British West-India sugar grower was totally ruined by this competition; for if they were freed from the operation of these laws, or if the treaties alluded to were strictly kept and observed, prices would be remunerative, and they would be enabled to contend with any and all competition. He admitted, on principle, that they were entitled to the monopoly of the home-market, but even although they had it now, they had not the fair benefit of it, as the price of sugar abroad fixed the price at home; and here, also, this unfair competition again met them, even in the home-market; therefore, though he was, on principle, a determined opposer of the system of supporting local interests by bounties which, in effect, taxed the community for the support of those local interests, he still contended, that a bounty should be allowed on exportation; particularly as the British public had had the benefit of consuming sugar at prices from thirty to fifty per cent cheaper than they would have had, if the treaties had been observed, or the laws alluded to had not been made. If, therefore, the British consumer had been so much, and so unexpectedly, and so undesiredly benefited, he surely could have no fair objection to refund a small portion of the advantages so gained to the West-India interests, and give to them a bounty of 4*s*. or 5*s*. on exportation; and a very small additional duty on the consumer would effect this object. Some remedies must be applied, or these interests must fall altogether. The only ones he knew of were these:—first, a practical observance of the treaties; second, a great reduction of the duty; third, a sufficient protection for the commodity. Certainly, the West-India interests might be very much benefited by allowing the whole subject to go to a Committee. He had always opposed the adoption of such a course as that now suggested, but this case was an exception from the general rule, and if he were on a Committee he could make it clear that the fact was as he had stated. If ever there was a case in which a benefit of some kind ought to be given to the West-India interests by a British public, it was that now under consideration; because the same circumstances that injured these interests, benefited the interests of the public. He would say that he was quite sure that the West-India interests would not be benefited by suffering this question of refining to go to a Committee; and if such a course were adopted, no beneficial result would ensue.

Mr. *John Wood* said, the speech of the learned Gentleman (Mr. Burge) was, certainly, very eloquent, and gave a very true picture of the state of the West-Indian interests; but he entirely denied that it was at all connected with the Bill at present before the House, or with the subject under discussion, which question he most carefully avoided. [*Cries of Question.*] Though he sat on the Opposition side of the House, he conceived that he had a right to complain of interruptions; and though he should not be deterred by them, he begged to assure the House, that he did not intend to inflict upon it the pain of hearing a long speech. At the same time, he should certainly proceed to offer a very few remarks notwithstanding these attempts to stop him. They had heard a great deal said about the distressed state of the West-Indian interests; he believed it was true that such distress did exist; but he denied that this Bill had any effect upon that distress, or that it would injure the present state of those interests. Nothing of the kind could have that effect. If the West-Indians were suffering, they were suffering from the course pursued by those who were now so vociferously cheering on this side of the House, and not from that adopted by the hon. Gentlemen on the other. But were the West-Indian interests only to be regarded? Were the refiners, who had between three and four millions embarked in their trade, not to be regarded? Were the Brazilian merchants not to be regarded? Were the manufacturers of this city, who sold the produce of the Brazils not to be regarded? He would undertake to shew to the House, and he would do so very shortly, that the refining trade was in a most distressed state at present. He knew that the interest of this country—or even the West-Indian interests, had not suffered more, and the refiners were in this distressed condition, because they were deprived of the raw material with which to carry on their manufactures. If there was any doubt upon this subject, and there appeared to be a good deal, if he might judge from the conversation which he heard passing around him, it became the more necessary that he should state the facts of which he was in possession, and he should persist in stating them, notwithstanding any interruption which might be made. Where there were forty or fifty refiners seventeen years ago, there was not one now. In 1822, there were 303 pans of sugar worked in London. As a proof that it frequently happened that the refiners were not able to get the raw material wherewith to work, he would state to the House, that from the year 1818 to the year 1830, the average amount of casks of sugar was only 10,000; and, at one particular time of the year, these 10,000 casks included every variety and description of sugar. During the last ten years, at late periods of the year, the refiners had had no raw material to work with, and the amount introduced had altogether very much decreased. Could the West-India interests be more deserving of consideration than those? In consequence of the depression of this branch of the trade, many of the largest houses in London were now completely ruined; one house in particular—it was not necessary to mention names—expended in the year 1818, on their premises the sum of 120,000*l.*, and seven years afterwards, that was to say in 1825, their fixtures were sold for 7,500*l.* Another house expended 780,000*l.*; their fixtures were offered for 10,000*l.* and no purchaser could be found. Now, if this was the case—and there could be no doubt that it was, the distress of this branch of the trade was equal to that of the West-India interests; and when it was proved that the refiners had been obliged to stop for want of the raw material, they had the very strongest claim to be allowed a supply of it, wherewith to carry on their business. What took place on a former occasion? The West-Indians applied to Government, praying that no produce should be employed in this country but that which was of their own cultivation. If this demand had been acceded to, what would have been the extent of the increase in the manufacture? The same quantity of sugar must be produced in the Brazils; and the question was not whether the sugar was refined here, or introduced in the hope of its being consumed here, but whether all sugars were to be made available, or whether the advantages arising should only be enjoyed by a few individuals. This Act must, on every ground of justice, be revived; it could not be taken away without any notice whatever; it was well known that it expired at a particular time. No objection had been offered—no material objection, at least, by the parties interested, and he trusted they could state no reason why the Act should not be revived. The inquiry which was now asked for could be going on while this Bill was in operation, but to withhold this measure now, would be an act of glaring and gross injustice.

Mr. *Hume* said, that having taken part in the discussion on a former occasion, and having endeavoured from that time to this to do what was right, and having seen the parties interested both for and against, he was desirous, in a very few words, to state to the House what conclusion he had come to, after a full and candid deliberation. Before doing that, however, he must say, that he most cordially concurred in the statements which had been made of the distress under which the West-India merchants laboured. He was prepared to say, too, that they were entitled to the entire market of this country for their produce, though an enemy to monopolies generally, because it was but fair that, instead of acting against the West-India interests, they should open their market to them, and give them every possible equivalent for the expenses which they threw upon these colonies. He was most anxious that everything should henceforth be done to advance their interests; but the policy of the late Government, and the policy of the present Government, as yet, had been very injurious to these colonies, and had tended to destroy their credit. Having said thus much, it was, perhaps, hardly necessary to observe, that if this Bill, in its present state, was the cause of evil, he would not persist in advising his Majesty's Ministers to adopt this course. The question before the House at the present moment was this—the sugar refining was a business of very considerable importance in this country; and from the year 1820, to go no further back, it appeared that the quantity of refined sugar in 1820 was 600,000 cwt; this quantity greatly decreased in 1823, until 1825, when it was reduced to 300,000 cwt, which was just one-half of the first quantity; and, therefore, in fact, a most entire destruction had taken place in this branch of trade. He then concurred in the admission of the Sugar Refining Bill, but under the conviction that every ounce of sugar refined should be exported to a foreign country, and that they should give the West-India planter the entire supply of the whole market. As to its being any disadvantage to the West-Indians to pass this measure, he was quite prepared to shew that such was not the case. This was a new branch of trade introduced into this country; and if he could show that, in consequence of the change which had taken place, the sugar exported had increased twice as much as the whole imports of foreign sugar which had taken place—if he could prove, by a return in his possession, that it had increased near fifty per cent,—and if the whole amount of foreign sugar imported into this country had increased only thirty per cent, if he could shew that the work of the refiner of foreign sugar had been going on, and that the export of refined sugar had been increased—if these facts were borne out, as they were by the return he held in his hand, they had gained this most important point—they had gained a new trade, and they had given increased employment to the shipping and manufactures of this country. He had in his possession a letter from Trieste, dated January 1831, in which it was stated that the refined sugars of England were now in competition with, and were actually throwing out, the white sugars from other parts of the world; clearly shewing, that if they could be refined at a cheaper rate than other commodities of the same description—as he believed they could be,—they would then come into competition with foreign sugars, and thus give employment to our capital and manufactures, without injuring the value of West Indian property. If this was the case he was quite satisfied that those hon. Gentlemen themselves, who were so anxious for the West-Indian interests—and he was quite sure they could not be more anxious to preserve them than he was, for he would not give one farthing to encourage other interests at their expense,—those hon. Gentlemen would allow that they had no just cause for apprehension. A Committee was now to be allowed: that was the great point which he had been anxious to obtain. He would ask his hon. and learned friend below him (Mr. Burge), what more could he have than a Committee? He asked for that which he thought should have been asked for some time ago; if, therefore, his Majesty's Government now agreed, as, indeed, they did, to grant a Committee in the meantime, why not allow this Bill to come into operation? The hon. Gentleman, the member for Cricklade, asked, "Was it usual to have a Committee first, and to legislate afterwards?" It certainly was not, but that was not the question upon this occasion; the law had been made, and the question was, whether it should remain in operation for a few months longer; and in the mean time, this inquiry was to be instituted. He was quite satisfied that it was not possible to interfere, by the operation of this measure, with the profits of the West-Indians; and they, therefore, ought to maintain and encourage this new branch of exports and imports. In this view of the case, it was impossible for him to withhold his support from his Majesty's Government; they had agreed to give an inquiry, and, therefore he would advise the West-India Government to close with this proposition; and, in the mean time, to allow this Bill to come into operation, and if, in the course of the inquiry, which would be a very short one, it should appear that these interests were injured by the proportionate price of foreign sugar, in order to protect them, a clause might be added to the Bill, giving the power of altering this proposition. This could be done with the greatest ease before the end of the Session. He would not detain the House further than by saying, that he should vote with his Majesty's Ministers.

Mr. *John Weyland* must, in justice to his own character, say one word to the House. The vote he should give would depend upon the question whether it be or be not true, that the effect of this measure would be to give an advantage to the slave-trading colonies, to the prejudice of our own possessions. He had listened to that part of the subject with the greatest attention, but he had heard nothing to induce him to distrust the effect of this Bill. It was well known that in the Brazils in one year there were 50,000 slaves imported, and he had a strong bias, therefore, in favour of colonial sugar, as by encouraging that branch of trade, they would do away with an immensity of human misery. He had listened with great attention to the right hon. the Vice-President of the Board of Trade, and to the answers which had been made to him, which really appeared to amount to nothing whatever. His Majesty's Government had consented to afford an inquiry, and if that inquiry proved the apprehensions of the hon. and learned Gentleman opposite to be well founded, he should support him. He felt every possible respect for the distresses of the West-India merchants, but he could not sit down without observing, that they might do much better for themselves than this House could do for them. He had made inquiries upon this subject,—though he was a young Member of that House he was not a very young man—and the result of these inquiries satisfied his mind that they had their remedy in their own hands.

Mr. *George Robinson* asked the attention of the House for five minutes. He was most surprised at the line of argument which had been taken by the hon. member for Middlesex on this occasion. He would put it to the House whether it was consistent with his usual course of proceeding, whether he was not acting in direct opposition to the very principles he professed in this House on former occasions? He was very much surprised to hear the noble Lord opposite, in the course of the observations which he made to-night with respect to the profits of refiners, accuse his hon. and learned friend of bringing forward this proposition without notice. Was not this the very point on which they had been quarrelling with the noble Lord on other measures, that he brought them forward without notice? Did he give the growers of Cape wines any notice? The noble Lord, forgetting his former conduct, had really fallen into the grossest inconsistency that man could be guilty of. The right hon. Gentleman, the Vice-President of the Board of Trade, said "If you do not adopt this measure you will not give the parties interested in the Brazil trade an opportunity of getting a return for their exports." Did the sugars that came to this country from the Brazils constitute any material portion of these exports? Did not the right hon. Gentleman know that the imports into this country from the Brazils, including the precious metals, which formed a considerable part of them, much exceeded the amount of our exports? In truth, without taking up any more of the time of the House, he must say, that the statements of his hon. and learned friend below him had not been satisfactorily answered, and he was well aware that no opportunity of answering them would now be given. He would, therefore, sit down, observing, that this Government like some other Governments, required the House to legislate on their own dicta; and his hon. and learned friend asked them to wait till inquiry had satisfied the Government and the House of the state of the case.

The House divided on the Amendment. Ayes 113; Noes 125—Majority 12.

Mr. *Burge* stated, that he should oppose the Bill in every stage. He should suppose the noble Lord would give it up after the manifestation which had just taken place of the opinion of the House.

Mr. *Robert Gordon* supported the same view; he hoped the Ministers would reconsider the question. He thought that after such a division, they would hardly be warranted in proceeding.

Sir *Francis Burdett* said, if he thought the vote he had given would severely injure the West-India interests, he should very much regret it, but he was convinced, from the calculations and facts that had been placed before the House, that it was utterly impossible the measure on which they had just gone to a division could have that effect. No person could be more impressed with the importance of the colonies in relation to the mother country than himself, if, therefore, he could have believed the rejection of this Bill could have relieved them, he should most assuredly have supported the Amendment. He did not propose to go into the general question, but he was surprised the colonial interest had not accepted the offer of the noble Lord to bring under the consideration of the House the whole question. The present measure was but temporary and was demanded by justice towards the refiners. It was not a measure of the present Ministers, it had originated with the former Administration. The question simply was, whether the interest which had been raised up under the former Bill should be wholly destroyed for the chance of benefitting property in the West Indies. Notwithstanding the small majority he was of opinion that the Bill ought to be persevered in. If it were given up, that could only tend to embarrass Ministers.

Mr. *Goulburn* said, the hon. Baronet was in some degree mistaken, the Bill before them was not the Bill of the late Ministers. That Act had expired two months since, and he understood the measure before them differed in many particulars from the former measure.

Mr. *Poulett Thomson* said, the Act differed in details only, the calculations on which those details were founded, having been changed since the introduction of the former measure. The present Bill was suited to the existing state of the market, as the former Bill had been to the state of the market at the time of its enactment.

Mr. *Keith Douglas* must also press upon the noble Lord the inexpediency of continuing to proceed with the Bill after the result of this second division. All the weight of Government had been thrown on one side, and it had barely insured them a majority. He was determined to continue to oppose the Bill, which he believed was pregnant with evils to the West-Indian interests.

Mr. *Cutlar Fergusson* also differed from the hon. Baronet. He had no connexion or interest with the West-Indian colonies, but from the best consideration he could give the subject, he was convinced that the measure before them would have a mischievous effect, and the smallness of the majority was a sufficient reason that it should be abandoned.

Lord *Althorp* said, that having examined the question and re-examined it, and still believing that it was just and proper to be adopted, he could not feel it consistent with his duty to abandon it.

Mr. *James* would oppose the Bill, because it would increase the foreign slave-trade.

Mr. Alderman *Thompson* suggested, that the Bill ought to be re-enacted for six months only.

Lord *Althorp* could not agree to that suggestion.

The Report brought up, and the resolution, "That it is expedient further to continue an Act of the first year of his present Majesty, to allow sugar to be delivered out of warehouses to be refined, and to amend the provisions of an Act of the ninth year of his late Majesty relating thereto" having been agreed to, the Bill was ordered to be brought in, founded upon the same.

HOUSE OF LORDS,

Thursday, September 29, 1831.

MINUTES.] Bills. Read a third time; Game; Decrees in Equity.

Petitions presented. By the Earl of ROSEBERY, in favour of Parliamentary Reform from the Provost, Magistrates, and Town Council of the Royal Burgh of Linlithgow; from the Guildry and Corporation of the Borough of Linlithgow, from the Inhabitants of Kirkliston, and from the Incorporated Tailors in the City of Edinburgh. By Lord KENYON, from the Owners of Slaves in the Island of Antigua, praying for Compensation. By the Earl of SHAFTESBURY, from Barna in Galway, in favour of the Galway Franchise Bill. By the Duke of RICHMOND, from Abingdon, in favour of the Reform Bill. By Lord DUNMORE, from the Magistrates of Stirling, in favour of Reform. By Lord ABERCROMBIE, similar Petitions from the Incorporated Trades of Stirling, from the County of Kinross, and other places in Scotland.

CARE OF LUNATICS.] The *Lord Chancellor* said, that he had to present to their Lordships a Bill, which completed the series of measures he proposed to introduce for the Reform and Amendment of the practice of the Court of Chancery. He had already introduced this Bill in the former Session of Parliament, and he believed that it had so far received the sanction of their Lordships then, that it was read a first and second time on that occasion. The object of this Bill, which he had now again to present to their Lordships, was to provide means for taking better care of those unfortunate persons who, on being declared lunatics, came under the care and jurisdiction of the Court of Chancery. It appeared to him that the operation of this Bill would be one attended by the most beneficial effects, and it was but right to say, that the Bill itself was founded on a plan which had been drawn up by his noble predecessor, with a view to provide for the due care of those unfortunate persons. One great object of this Bill, as he had already said, was to provide for the due care of lunatics; another principal object of it was, to effect a change in trying Commissions of Lunacy. He proposed that they should be tried before one of the Judges of the land, instead of three Commissioners appointed by the Keeper of the Great Seal, the number which was necessary under the existing practice. The introduction of such a change as that would enable them to dispense with several officers of the Court, who were as the practice at present stood, concerned in the execution of Commissions of Lunacy, and would secure the advantage of having such matters executed by one of the Judges of the Land sitting in Court, without the expense, delay, and considerable risk of misdecision, which were attendant upon the existing mode of executing such Commissions.

The Bill read a first time, and ordered to be printed.

REFORM — EDINBURGH PETITION.] The *Lord Chancellor* said, the Petition he was about to present to their Lordships—

he would not say he held it in his hand, for that was nearly impossible, came from a most important body, and a very numerous class of his Majesty's loyal and dutiful subjects—he meant the inhabitants of the ancient city of Edinburgh; and if he should state, that it was signed by nearly all the male inhabitants of that city who were entitled to sign it, he believed that in saying so he should be guilty of no exaggeration whatever, for it was signed by no less than 36,150 persons. Aware as he was that the greatest pains had been taken to prevent improper persons, and persons of unripe age, from putting their names to this petition, he knew that he might fairly take it for granted, that it had been signed by every male inhabitant of the adult age—that was to say, capable of bearing arms—in the city of Edinburgh. According to the ordinary calculations of political arithmeticians and statistical writers, that part of the population—namely, the male adults between the age of sixteen and sixty—formed the one-fourth part of the entire population in any place. Now, assuming that the whole population of Edinburgh amounted to 140,000, and he believed that that was giving a large population to the northern metropolis, it was clear that the entire male adult population of that city, that was to say, the population which was between the age of sixteen and sixty, and capable of bearing arms, had put their names to this petition. This was a most important fact, as illustrative of the progress which the great question of Parliamentary Reform had made with the people of Scotland. He knew that about twenty years ago, it might have happened that the case, instead of being as this petition proved it to be, would have been nearly the reverse in the city of Edinburgh. If any person, twenty or twenty-five years ago, had ventured to call upon the people of Edinburgh to sign a petition in favour of Parliamentary Reform, he would not say that this proportion of one-fourth of the population—namely, all the male adults —would have refused to sign such a petition, but he was certain that a very inconsiderable number of them indeed would have affixed their names to it at that time. Such was the general feeling in Scotland about twenty-five years ago with regard to Reform. But see how matters had changed in that respect. This petition afforded a tolerable proof of the immense progress which the question of Parliamentary Reform had made with the very thinking, solemn, and reflecting people of Scotland. If ever there was a people less liable than any other to be carried away by sudden impulses—to become the tools of party agitators, and the prey of factions —the people of Scotland was that people. There was no people that he was aware of on the face of the earth, that was less liable to be influenced in that way than the population of Scotland. Now this people, the whole population of Scotland, after a solemn and mature deliberation, and after thoroughly discussing and investigating the whole subject, had come to the resolution, one and all, of supporting those measures of Reform which his Majesty's Ministers had introduced to redress their grievances. The prayer of the present petitioners, who so truly represented the 140,000 or 150,000 persons that formed the population of the northern metropolis, was, that their Lordships would pass the measures which had been brought forward by his Majesty's Government for effecting a Reform in the Commons House of Parliament. It was true that that population enjoyed the privilege of having a Member to represent them in the Commons House of Parliament, but they enjoyed not the privilege of electing that Member, of concurring in his election, or of assisting at his election, or even of holding any communication with those who solely and altogether elected that individual, who was denominated their Representative—the Representative of the inhabitants of the city of Edinburgh. He was their Representative, because he did not represent them; he was their Member, because they had not chosen him; and he represented the burgesses of Edinburgh, because Edinburgh had no more elected him than had Constantinople. He was chosen and elected Member of Parliament, it was true, but he was not so chosen by the city of Edinburgh. Perhaps their Lordships would be curious to know how this Edinburgh Representative was elected. Perhaps they might suppose that a great majority of those who had signed this petition had the right of voting at the election of a Member for that city. Such, however, was not the case, and not a single man of them had anything to do with the election of their Representative. Assuring them that the number of his constituents was not large, their Lordships might perhaps imagine that they amounted at least to 1,000, which would be a small and limited number in such a great town with a population of 140,000 persons. But even of that limited constituency this worthy Member could not boast. No: he was not elected by the tenth part nor the eleventh part of the population of Edinburgh, nor by the 100th part, nay, not even by the half again of that 100th part of the population of that city. In short, not to detain their Lordships, and to put them out of pain, he begged to state for their Lordships' information, that this worthy Member was elected by thirty-three persons, and by not one less than thirty-three. And Edinburgh, it should be recollected, was much better off in this respect than were many other places in Scotland, the Scottish counties especially, under the existing much-honoured and highly revered system, which was now drawing, he devoutly hoped and prayed, to its close. It was under that time-honoured system that those abuses had grown up, under that system which some would fain represent as the result of the wisdom of our ancestors. But in justice to our ancestors, he must say, that there were but few of the evils which they had left to us, that had not been remedied and removed, or were in progress of being so, by the superior knowledge and wisdom of modern times. It had been well observed by his greatest predecessor in the office which he had the honour to fill—he meant Lord Bacon—that we are the truly old persons, as compared with our ancestors—that they represented the youth of the human race, while we, possessed as we were of the improvements and experience of modern times, represented its manhood, or rather its old age. He did hope and confidently trust, that this remnant of the wisdom of our ancestors—this close, and of necessity corruption-begetting system of Representation in Scotland—was very quickly approaching to its last end. The fact was, that the counties in Scotland were closer than the closest boroughs in England. The Members for those counties were elected, not by the proprietors of land there, but by persons who might not have an acre of land there, or any where else—by the owners of superiorities, who might be, as had been once said in another place, persons of the Jewish persuasion, living in Lombard-street, and possessing, by the ownership of those superiorities, the right of voting for those counties, while the proprietors of property there had no such right of voting at all. He should just mention an instance of the result of this close system of Representation in Scotland. About twenty years ago an election took place for a county in Scotland; there was not a single person in the county, who, had the right of voting but the Sheriff of the county, who, being the returning officer, was thereby disqualified from voting. Nobody, in fact, did exercise the right of voting, and yet a person was returned, and sat as Member for the county in Parliament, and there was nobody to object to his doing so, as there was no person qualified to petition against his return. That was an instance of the close system in Scotland. Indeed, so bad was that system, that he did not suppose that it would meet with any defenders. However, when they came to the discussion of this question on Monday next, he would not allow a line to be drawn with regard to Scotland; he would not permit it to be contended, that though Scotland was ill off, England was well off; and that though Scotland might require Reform, England did not require it at all. If such a line of argument as that should be followed on Monday next, he would take upon him the defence of the close and narrow system of Representation in Scotland, and he would maintain, that it had as good a right to be preserved to Scotland, as the corruption and rottenness of Gatton and Old Sarum had to be continued in England.

Lord *Wharncliffe* did not rise to impugn any thing that had fallen from the noble and learned Lord, but he rose to say a few words in reference to what had been stated by the noble Lord as to the decision of the House upon the subject which was to come under their consideration on Monday next. He begged to say, that the noble Lord had no right to assume that by the vote which he (Lord Wharncliffe) should give on that night, or at the conclusion of the debate which stood for that night, he (Lord Wharncliffe) would in any degree decide as to the propriety of the present mode of electing Members either for counties or burghs in Scotland. He begged that it should be understood, that if they should think it right to reject the Bill for amending the Representation of England, it should not be taken for granted, that they were therefore unwilling to reform the Representation of Scotland. Though they might be of opinion, that the state of the Representation in England did not require Reform, it did not follow as a consequence that they entertained the same opinion with regard to the Representation in Scotland, which was of a totally different description. Indeed, he had no hesitation in at once declaring it as his opinion, that the state of the Representation in Scotland presented a case which did require Reform and amendment. Before he sat down he begged to ask whether, even under this system of Representation in Scotland, which he was ready to admit required amendment, Scotland had not prospered even beyond ordinary human calculation? That fact, which he supposed would not be controverted, showed that in the instance of Scotland, where a Representation existed that it was admitted wanted amendment, they should proceed in the adoption of any new regulations with the greatest caution, and with most deliberate consideration.

The *Lord Chancellor* was most happy to have been the means of eliciting from his noble friend this admission—that the state of the Representation in Scotland was too bad to be defended even by the Anti-reformers, and that the system required revision and alteration. This admission was to him most refreshing, for this was the first time that he had ever heard it admitted by an Anti-reformer, that the Scotch system was too bad to be allowed to continue. So, then, Scotland was to be blessed with a Reform, while England was to remain without it. He had anticipated that some attempt would be made to draw a line of distinction between Reform in England and Reform in Scotland, and had grappled with that notion by adverting to the state of Old Sarum and Gatton. If the people of Scotland were to have a reform in their Representation, were the people of England still to continue to be represented by Members for such places as Old Sarum and Gatton? If the old system in Scotland was to come tumbling down, why should Old Sarum and Gatton continue to send Members to Parliament? But as his noble friend had admitted, that although Edinburgh had a Representative, and Glasgow a fourth part of a Representative, the Scotch system required Reform, he was prepared for the next concession, which would be, that the system of Representation in England also required Reform, and that his noble friend would go a great way towards effecting that Reform, although he would not go to the extent of this Bill.

Lord *Wharncliffe* did not mean to enter into any discussion on the subject of Reform that night. He had not said anything as to how he intended to vote on the English Reform Bill, nor had he given any opinion as to whether the English system required Reform or not. His noble and learned friend had supposed that he entertained a certain opinion on that subject; but his noble and learned friend did not know what his opinions were, and had no right to ask what were his opinions, or to suppose that he held the opinions which his noble friend chose to ascribe to him.

The Earl of *Camperdown* was anxious to make a few observations on what the noble Lord had said in regard to the prosperity of Scotland. The noble Lord—his noble friend, if he would allow him to call him so—had said, that Scotland had thriven remarkably under its present system of Representation; but that prosperity certainly did not arise from its Representative system. Nothing could be worse than the state of the Representation in Scotland; but Scotland had prospered because of its connection with England, in spite of its bad system of Representation. Whatever Scotland might have sacrificed by the Union with England, it must be acknowledged that it had derived great benefits from having the advantage of the English system of Representation, which, with all its faults, was, upon the whole, much superior to that of Scotland, in which there was no Representation that deserved the name. The English system itself had been deteriorated by having the Scotch infused into it.

Lord *Melville* said, that he must join in the protest which had been made by the noble Lord below him (Lord Wharncliffe), against its being assumed that the vote to which they would come with respect to the Bill which was to come under discussion on Monday next, would in any degree bind them with respect to any Reform which they might consider necessary in the Scottish system of Representation. From the observations made by the noble and learned Lord on the Woolsack, he expected to hear it hinted by that noble Lord, that it would be more convenient for their Lordships to have the Scotch and English Bills before them at the same time. If the English Bill should be rejected, it did not follow that some alteration might not be adopted with regard to the Scotch Representative system. He (Lord Melville) should be prepared to state his opinion as to the English Bill when it came under discussion; and no noble Lords had a right to inquire what that opinion was until that time arrived. He was ready to concur in the statement made by the noble and learned Lord, that a great proportion of those who had votes for Scottish counties possessed no property in them. So far was he from thinking that the system in Scotland did not require amendment, that he had been for several years endeavouring to carry measures for its improvement. He must protest, therefore, against being classed with those individuals who approved of the Scottish system in all its parts, though he was not inclined to go the length of the wild propositions which were so hastily advanced on every side. With regard to the calculation of the noble and learned Lord, of the population of Edinburgh, he apprehended that there was some mistake, or if 140,000 was taken as the number of the inhabitants, it must mean that of the city and the county of the city. He also doubted the unanimity which the noble and learned Lord alleged prevailed in Edinburgh on the subject of Reform, and he imagined that the extent of that feeling was not a little overrated.

The Earl of *Carnarvon* also protested against mixing up the question of English Reform with that of a reformation of the Scottish Representative system, for though many noble Lords might be opposed to any alteration in the English system, it did not follow that their opinion was the same with regard to the system in Scotland.

Petition to be laid on the Table.

REFORM—CITY OF LONDON PETITION.] The *Lord Chancellor* had also to present to their Lordships a petition from the corporation of the city of London, in favour of Parliamentary Reform. He was sure that their Lordships, when they came to consider who the petitioners were in this instance, would give to the prayer of the petition that consideration and that attention to which the weight and importance of the petitioners entitled them. This petition did not emanate from the Common Hall of the city of London, though, if it had, he should have presented it with every possible respect; but it was a petition from the Corporation at large of the city of London—from the Lord Mayor, Aldermen, and Liverymen, publicly assembled in Guildhall for the purpose, and it was signed by the Lord Mayor on behalf of the meeting. The petition, as he had already said, was in favour of the measures of Parliamentary Reform which had been brought forward by his Majesty's Government, and it strongly urged upon their Lordships the propriety of adopting and speedily passing those measures. The Edinburgh petition which he had just presented, he should have stated, was also in favour of Reform generally, and not of Scottish Reform alone. He was glad to find that the noble Lords (Lords Melville and Wharncliffe) were not to be classed amongst thorough-going Anti-reformers, and that they admitted the necessity of some change, at least in Scotland. But it would not do when the Reform Question came on for noble Lords to say—"England is well enough, and we will not touch it; but Scotland is not so, and some alteration must be made there." Let him tell those noble Lords, that such a course as that would not do for England. Neither would such a line of proceeding satisfy the Anti-reformers in Scotland, for they would ask, and justly too, why should Gatton and Old Sarum be retained in England, and the experiment of reformation alone tried upon Scotland? Nothing could be more absurd than to talk of the prosperity which Scotland had enjoyed under the existing system, in spite of which, as a noble Lord had truly said, that country had prospered. The same absurd remark might be applied to England. There was no doubt that this country was flourishing and prosperous, even before we had abolished the African slave-trade; and yet no one would now rank himself with felons, by praising that system which it was a felony to uphold. The country was prosperous before Catholic Emancipation was granted, and yet no one now doubted the propriety and justice of that great alteration in our existing system. In truth, this absurd argument, if it were to have any weight against improvement and change, would put an end to his (the Lord Chancellor's) contemplated law improvements and amendments, for the country was prosperous while the Court of Chancery was flourishing in perennial delay. The petitioners expressed their confident hopes that their Lordships' wisdom, patriotism, and good sense, would induce their Lordships to accede to the prayer of the petition, and to pass the measure of Reform which would be submitted to them. The Reformers of the United Kingdom, in common with the petitioners, relied with confidence on the wisdom of their Lordships. He trusted that the result would show, that they did not flatter their Lordships by placing such a reliance on their decision in this important matter; and, above all things, he fondly hoped that that result would not be the rejection of those measures—a result which would be to all the friends of the tranquillity and prosperity of the empire, a subject of the deepest regret.

Lord *Wynford* would take that opportunity to deny that he was an Anti-reformer [“*hear, hear*.”] He should not be prevented by that cheer from stating his opinion in distinct terms. In consequence of what had fallen from the noble and learned Lord on the Woolsack, and of the threats which had, in fact, been thrown out by that noble Lord, he (Lord Wynford) begged to say, that he would rather reject any measure of Reform, than adopt the amendments proposed by this Bill. He would state his objections to it on Monday next, when he hoped to be able to show, that it was not such a Reform as was consistent with the principles of the Constitution, as would give security to the two Houses of Parliament, and would preserve the liberties of the people. He hoped to be able to show that this was a measure calculated to endanger the peace of the country, and, that if it should be passed, it would be inconsistent with, and subversive of, the principles of the Constitution, destructive of the independence of Parliament, and destructive of the liberty of the people of England, who required a liberty that was regulated by law, and supported by the institutions of the country. The noble and learned Lord on the Woolsack had argued as if there had been a change of opinion with regard to this question, on the part of the noble Baron (Lord Wharncliffe). Had there been no change in the opinions of the noble and learned Lord himself on the subject? If they could see the Reform Bill which that noble Lord had himself drawn up last year, he was sure it would be found to differ greatly from this measure—he was sure that nothing would be found in that Bill destructive of Gatton or Old Sarum, or of any other rotten borough in the country. He was certain that that Bill did not commence with a sweeping disfranchisement of those boroughs. When the noble and learned Lord himself exhibited changes of opinion with respect to Reform, the noble Lord should pause before he charged others with vacillation of sentiment. Notwithstanding the strong body of authority that had been produced on the opposite side, he felt confident that they should be able to stand satisfactorily before that House; and, what was much more, before the country at large, and demonstrate to the conviction of every thinking man, that the Bill, instead of securing the liberties of the people, would place beyond the pale of those liberties a larger proportion—ay, and a better and more improved proportion—of the community, than would be included in it.

Lord *Holland* did not understand that his noble friend on the Woolsack had taunted any Peer in that House with a change of opinion. But the noble Peer who had just sat down had taunted his noble friend with a change of opinion, and the reason was, because he thought that the noble and learned Lord might have supported a Bill on some former occasion, not containing all the clauses contained in the Bill about to be brought before that House. He did not rise to defend his noble friend—he was quite competent to the task of pleading his own cause; but he must say, that the observations of the noble Lord contained a most pregnant remark for the consideration of that House, if true. If it were true that men, gifted with the powers of his noble friend, thought, on former occasions, that certain Reforms were necessary to the welfare of the country—if these Reforms, aided by the energies of his noble friend, and aided by those persons now so anxious to be considered Anti-reformers—if these partial Reforms were uniformly rejected; and if, notwithstanding this rejection, the country was now disposed to support a Reform more comprehensive in its character, and greater in its results, it was for that House solemnly to weigh, and deeply to reflect, what would be the consequences if they persevered blindly, stupidly, and dangerously, in rejecting the Bill. That House, he repeated, was called upon to consider what would be the effect on all deliberating minds if they rejected a measure adapted to the character of the times, in harmony with the wishes and interests of the people, and essentially calculated to leave the real Constitution of the empire improved and confirmed. There was one feature in the discussion which had given him great satisfaction, and he referred to it with pleasure. There was no stubborn hostility apparent, but every person was anxious to prove himself a Reformer to a certain degree. Of these concealed Reformers, he must say, that he held it to be a very grievous calamity, that among the multifarious plans of Reform suggested to them, there was none which they could make up their minds to approve. If the Reform proposed by other men filled them with so much horror, they ought before this—for now, indeed, it was too late—the opportunity was lost—to have come forward with some plan of their own. He would beg their Lordships to bear in mind, when the subject came regularly before the House, the admission of one of the ablest opponents of the Bill on two important points. First, that the Representation of Scotland required complete Reform [" No," *from Lord Wharncliffe.*] Well, at least the noble Lord allowed that the Scottish representative system was defective, and required amendment, and that he was ready to support a reform of it. The second admission was, that when he came to consider Reform, he could not forget that it was under that defective system (which the noble Lord had shown himself so anxious and ready to improve) that Scotland had flourished exceedingly—thus throwing overboard the sophistical doctrine of which they had heard so much, that the system worked well, and therefore any alteration was unnecessary. The noble Lord, be it remembered, had distinctly admitted, that the people had thriven under the old system; yet, nevertheless, he declared that the system was defective, and ought to be improved. He hailed this acknowledgment as an auspicious omen. They were not now to contend against the principles of Anti-reform, but only as to what degree of Reform it was necessary to carry. " And great," said the noble Baron, "great, indeed, must be the difference of degrees, which could induce the House of Lords, whose interests are identified with the welfare of the whole community, to disappoint the wishes of the overwhelming majority of the people of this country, demanding and requesting Reform."

Lord *Wharncliffe* said, that the sentiments which his noble friend had adverted to with a slight tendency to exaggeration, were not the result of any new light that had broken in upon him. He was opposed to the measure on its way to that House, and the ground of his opposition was supplied by the measure itself. With that Bill before him, he was prepared to show the country, that the intended Reform was subversive of their liberty, and destructive of every part of the Constitution.

The *Lord Chancellor* begged to set his noble friend (Lord Wynford) right, as to what he had stated respecting his having taunted noble Lords with a change of opinion. Very far indeed was he from meeting such a happy alteration by a taunt; on the contrary, it filled him with the greatest possible joy and satisfaction. He also begged leave to correct a misconception of his noble friend, in attributing a change of opinion to himself. His noble friend said, he was sure that if he saw the Bill he (Lord Brougham) had drawn, in the beginning of last Session—[" *hear*" *from Lord Wynford*] it would be better for the noble Lord to listen than cry " hear"—if he saw the Bill drawn up at that time, he would discover no clauses in it for the disfranchisement of Gatton and Old Sarum. He would admit that the noble Lord had made a happy guess —he freely acknowledged that he was correct in his divination—yet he was sorry to be obliged to take him down from the towering pinnacle on which he was enthroned, but take him down he must, for had he seen the bill in question, he would have found no clause in it of any kind. There never was such a bill as his noble and learned friend had alluded to. There was a great deal of discussion as to the outlines of a measure which he (the Lord Chancellor) was about to bring forward, but the bill was never drawn up. The heads of the bill had never, in point of fact, been reduced to writing. He had given notice of a motion for the introduction of a Reform Bill elsewhere, but the Monday before that motion could be brought forward, an event happened which called upon him to consider, in other circumstances, what measure of Reform would be satisfactory to the people. He had no hesitation in avowing, however, that there was a great difference between the measure which he intended to bring forward and that now before the House. His plan embraced the whole of the Scotch Bill, and great part of the English Bill, but he frankly declared that the present Bill went further than he had proposed to go. On the proper occasion he should be prepared to show how and why it went further. It was sufficient for him now to state that, in order to obtain the consent of the greatest number of the Members of the Legislature, he was anxious to go as far as possible without sacrificing the principles which he thought necessary to conciliate, and to render the measure he proposed to bring forward as little objectionable as possible. Acting on these views, he did adopt a measure materially different from, and falling far short of, the present. He was now telling no secret, and making no confession. He had stated at the great meeting at Leeds, and in his place in Parliament, that though he should propose what he considered a great, safe, practical, and effectual Reform, yet it would not be such a Reform as he would propose if he had his will. His noble and learned friend, too, ought to recollect, that it made a great difference when a measure was brought forward which had been too long delayed, and after declarations, unbending and unqualified declarations, had been made from the highest quarters, against all Reform. When his noble friend (Lord Wynford) attained that office of which he was at present the unworthy possessor—an office to which the members of the legal profession naturally aspired as the reward of their toils, and which the "young ambition" of the noble Lord might fairly look to — when his noble friend, as the Chancellor of a future day, brought forward his schemes of Reform, he could assure him, with much sincerity, that he should be delighted at their success. If law reforms came from the Great Seal, like his plan of Parliamentary Reform, he should give them his best support. When the hour arrived, he should be found quite ready to redeem that pledge, and he did not much care how soon he should be called upon for its redemption. He trusted, that throughout these discussions, by the issue of which they hoped to satisfy the country and their consciences, they would view the momentous theme of their deliberations solemnly, dispassionately, and without personality; that, instead of abusing their time by the introduction of *argumenta ad homines*, they would keep a single eye to the merits of the case before them — a case, they would give him leave to say, the most important to that House, whether they viewed it in connexion with the dignity of the Monarch, or of the prosperity of the people, or the liberties and property and lineage of the land, or the grandeur of all. As regarded the standing of that House in its own estimation—as regarded the security of their rights and constitutional privileges—never did they stand on the brink of a more deeply important discussion than now that they were on the eve of the debate upon Parliamentary Reform.

Lord *Wynford* explained, that in adverting to the bill of the noble and learned Lord — drawn since he came into that House—he stated that it did not embrace any disfranchisement of boroughs.

The *Lord Chancellor* said, that the noble Lord had been misinformed. His plan did take away at least one Member from a great number of boroughs.

Petition laid on the Table.

BELGIUM.] The Marquis of *Londonderry* claimed their Lordships' indulgence while he, as shortly as circumstances admitted, stated the reasons which induced him again to bring the affairs of Belgium under their notice. He regretted the absence of the noble Earl at the head of his Majesty's Government, in consequence of a domestic calamity, because he should be very sorry if anything he should say in his absence could be construed into a supposition that he intended to offer any observation uncourteous to that noble Earl. He could assure their Lordships, that it was the furthest from his intention to do or say anything that could lead to such a supposition; but he might be naturally led into animadversions on various points, which the noble Earl and himself had already discussed. He, however, was gratified to see the noble Viscount, the Secretary of State for the Colonies, in his place, because he should be anxious to hear from his noble friend, if he would permit him to call him so, whether he concurred in the views—and was disposed to argue them under former principles—which his Majesty's Government had taken with respect to Belgium; and, more especially, whether he concurred in those severe and uncalled-for animadversions and philippics which the noble Earl, his colleague, had so unsparingly dealt out against all those great public transactions of 1814 and 1815, which formed the basis of a peace of seventeen years in Europe, and in which negotiations the noble Viscount himself bore a conspicuous and confidential share. This evening would probably put the House in possession of the noble Viscount's views, and shew whether his former principles and opinions were changed, in deference to the new friends by whom he was surrounded. His noble friend would likewise afford him satisfaction by expressing his opinions as to Holland, and stating how he thought that country had been used by his Majesty's Ministers; because he was anxious to learn whether the noble Viscount concurred in the line of policy which had been pursued towards our old and attached ally, he having been long a member of that Government which took so honourable and important a part in the arrangement by which Holland and Belgium were united, for the advantage of British and European interests, and having been one of those who defended that transaction. He should be glad to learn whether the noble Viscount was prepared to argue, that Holland had not been most unfairly, unjustly, and ungenerously treated, according to the conventions which exist between that country and England. Could his noble friend approve of that decision which excluded Holland from any participation in the arrangement with respect to the demolition of the fortresses, that measure being about to be determined on by the four Powers, and Belgium, without even the presence or participation of any negotiator on the part of Holland, through whom its opinion or wishes could be consulted? He begged leave to remind the House and the country, that for ten or twelve months, negotiations had been going forward on the questions of Holland and Belgium, every day increasing in anxiety, interest, and importance; but the Parliament of England had been kept in entire ignorance of every part of the negotiations, although a prince had been sent out from this country—supposed to be an independent sovereign—but, up to that moment, their Lordships were entirely ignorant whether the other great Powers—Austria, Russia, and Prussia—had recognised him. Numerous protocols had appeared from time to time, more numerous, he would take upon himself to say, than ever appeared in respect of any negotiation whatever — more than the Congresses at Vienna, Troppau, and Laybach, together ever issued; still their Lordships were not informed, whether or no any one point of these important transactions were settled. These protocols were pitiful expositions; there was one, issued to-day, declaring that the principle which it laid down was irrevocable; and another was sent forth the next day, which overturned the irrevocable and unchangeable decree, and rendered it mere waste paper. There seemed indeed a protocol laboratory in Downing-street, whence these prescriptions and drugs issued wholesale; but the patient was still unfortunately suffering under the disease, without the smallest hopes of recovery. Like the cholera, the march of the protocol appeared irresistible. The infection had bounded to the banks of the Rhine, as the cholera had advanced to the shores of the German ocean, and its ravages in the Confederation seemed to be very dreadful. One protocol, issued by this august German Assembly, was rather of a strange description; and it would be necessary to see how this protocol would affect those issued from Downing-street. Whenever a strong case was made out against the conduct pursued by his Majesty's Government—and a stronger case was never made out than that which he had made out, of it being the intention of the government of France to leave 12,000 troops in Belgium—then out came a protocol to account for that measure, by a number of frivolous set paragraphs, wholly unworthy of great statesmen, and forming miserable excuses for impolitic and unforeseen omissions. What said the protocol of the German Confederation? Why, that Luxemburg belonged to the House of Nassau, and was not to be alienated; but, in the mean time, his Majesty's Ministers allowed Prince Leopold, by consent of his Majesty, to occupy the throne of Belgium, and to take the oath of the constitution of the Belgians, which provided that Luxemburg should form a part of his kingdom. The king of England, therefore, and the king of Hanover, though identically one and the same person, were, in fact, opposed to each other in these negotiations, as the king of Hanover was a member of the German Confederation, and the protocol of that body was directly opposed to the arrangements of Downing-street. And thus it was, that when noble Lords in opposition felt themselves called upon, he might almost say goaded, to ask questions of his Majesty's Ministers, which might be inconvenient to them, but which were rendered indispensable by the singular position in which our negotiations stood, then they were told, that they were involving this country in war, and that their conduct was inconvenient, vexatious, and factious. The silence observed by his Majesty's Ministers was very different from the course pursued by his lamented brother; for his noble friend would recollect, that on that regretted statesman's return from the Congress at Vienna, he was attacked by Mr. Whitbread in the House of Commons, who moved an humble Address to his Majesty—"That he would be graciously pleased to direct a communication to be made to the House of Commons, of the progress made at the Congress now sitting at Vienna, towards the final adjustment and permanent pacification of Europe, of such transfer and annexations of territory, as may have actually taken place, together with other information touching matters still under consideration, as may be given without prejudice to the public service."* What was the conduct of his Majesty's Secretary of State on that occasion? With that candour, and with the manliness and openness of character, which so distinguished that eminent individual, he seconded Mr. Whitbread's motion. And, at the same period, a noble Marquis (Wellesley), now Lord Steward of his Majesty's Household, made a similar motion in the House of Lords, when Lord Liverpool declared, that every information should be laid on the Table that could be constitutionally and diplomatically afforded. It was curious to observe, also, that in the debates of 1815—and he referred to them, because his Majesty's Ministers had taunted noble Lords with being disorderly in asking questions—Mr. Tierney, in an assembly which was praised for its due observance of order over their Lordships' House, did, on many occasions, ask no less than six or seven questions, one after another. In the debate May 26, 1813, on the subsidies to the Allied Powers, Mr. Tierney asked—first, for some information as to Denmark; second, Mr. Tierney wished to know what part Spain was to take; third, Mr. Tierney inquired, whether any part of the disposable sum of 2,500,000*l.* was to be given to Portugal; fourth, whether any, and what part of the sums, Sweden or Portugal was to obtain. His object in referring to the motion made by Mr. Whitbread for an Address to his Majesty, and which was seconded by his lamented brother, the late Lord Castlereagh, for the production of papers, was, only to show the readiness with which former Governments had met such demands, and that there was nothing either unusual or improper in his having asked for the production of papers connected with our foreign relations; and it should be recollected, the negotiations of that time embraced all the transactions of Europe, whereas, those of the present day only related to the creation of an unhappy king, and an undefined kingdom. Noble Lords on that side of the House, as well as himself, had been asked, when putting questions, whence they obtained their information? He could only say, that they derived it from no improper channel. They had no secret service money, but they had the confidence of those who did not trust his Majesty's Ministers. If they were attacked for getting their knowledge from the newspapers, he could only reply, by referring to the speech of Earl Grey, April 7th, 1815, on the events in France, when the noble Earl said—"The public journals were the only sources from which he could, of course, obtain information." He had an undoubted right to follow the noble Earl's example; and it was quite clear, that his noble friend's (the Earl of Aberdeen's) information, as regarded affairs at Lisbon, was much more accurate than any which reached the noble Earl at the head of his Majesty's Government, as was and, he rejoiced at it, now finally admitted. The next point to which he begged to call the attention of their Lordships and of his noble friend was, as to what had taken place, in respect of the assurance given by the noble Earl at the head of his Majesty's Government, that the French troops, more especially the last division of 12,000 men, would evacuate Belgium; and whether that assurance was likely to be carried into effect? Certain it was, that up to that day, the French troops remained in that country, and he did not hear that any positive time was fixed for their departure. If general report was to be believed—but he owned he could not for a moment give credit to so monstrous an absurdity—it was said that a very large proportion of French officers were to be allowed by the Conference and his Majesty's Government to remain, for the purpose of organizing, drilling, disciplining, and acting with the Belgian army. He could not believe for an instant that such a proposition could be sanctioned by the noble Earl. The circumstance of 12,000 troops remaining in Belgium was unimportant, compared to giving any number of French officers the control and disciplining of the Belgian army. He should never have brought himself to mention such an arrangement, if he had not seen a numerous list of officers, who were understood to be positively named, and the particular branch of the army to which they were severally attached. There was Lieutenant-general Count Goundler, Baron Belnard (Infantry)—Baron Picquet, a distinguished officer under Napoleon (Cavalry)—Lieutenant-general Baron Evain (Artillery)—Lieutenant-general Desprez (Etât Major) Major-general Nempole, Engineer—Colonels Dillon, Chatry le Fond, &c. &c., Lieutenant-colonels Devaux, St. Peau, &c., and various others placed at the disposition of the above officers, altogether amounting to 300 or 400. An army like that of Belgium, under the command of French officers, would be French. All promotion in the army must go through those officers—and he put it to any one acquainted with military matters, whether King Leopold would have any command over a force so constituted, or whether it would be possible for him to do as he wished with an army so officered? He would ask his noble friend who was at the head of the Portuguese army, (Lord Beresford), whether that army, officered and disciplined by British officers, was not almost the same as a British army? Such an arrangement as allowing the Belgian army to be officered by Frenchmen, could not be submitted to for a moment. It had been said, in another place, that King Leopold was an independent Monarch, and must be allowed to keep what officers he pleased in his service. If King Leopold was independent, why did the Conference interfere to prevent 12,000 French troops from remaining in Belgium? The king of Belgium had been sent, by an arrangement of the Allies, to endeavour to make that country, by universal consent, an independent kingdom; but he could not be considered in every respect as independent, because he must necessarily be under the direction of the Conference, through whose instrumentality he had been created King. But was it possible that his Majesty's Government, who urged the French government, with all the powers of language they could use, to order the French troops to evacuate Belgium, could now tamely acquiesce in an arrangement by which the army of that country was to be officered by Frenchmen? He put it to his noble friend, whether he did not conceive that some satisfactory explanation ought to be immediately called for from the French government on this subject? It appeared to him that the French government was endeavouring to undermine this country, and to make our Government truckle in all the arrangements of these Conferences, and on every other occasion. They were no sooner driven out of one fortress—(as they were by the eloquent speech of the noble Duke near him, on the subject of the Belgian fortresses, and the evacuation)—than "their wily politician" (he understood, when he used this phrase before, it gave offence, but he repeated it, because he thought it a proper phrase)—than their wily politician, the representative of the French government in this country, burrowed himself in another. No sooner was the arrangement made for the evacuation of Belgium by the French troops, than this curious arrangement was commenced, which would give the French infinitely more power in that country than keeping 12,000 French troops in it. To refer back to our former relative positions with Holland and Belgium. He hoped their Lordships would not consider it tedious if he detained them by reading some extracts from the statements made with regard to the junction of those countries, when that event took place under the sanction of the Allied powers and the direction of his lamented relative. Those statements shewed how Holland was placed with respect to the Belgian fortresses, and that she had a right to be a party to any and every arrangement respecting them. He hoped that their Lordships would be of opinion, that his noble friend would not be able to controvert the statements he had advanced, that our conduct with regard to Holland had been unfriendly and inexcusable. Holland was precluded entirely from all negotiations as to the fortresses which, though *de fait* in the power of Belgium, are, *du droit*, unquestionably the property of Holland. His Lordship then read the following extract—

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* Hansard's Parl. Debates, vol. xxx. p. 282.

"Here was an arrangement between two crowns, in which certain colonies were ceded to this country, in consideration of our paying the half of certain charges which would otherwise have fallen on Holland alone. These colonies were materially connected with the interests of this country—they were important with a view to our possessions in the East Indies; and in Demerara, Berbice, and other Dutch settlements in the West Indies, three-fourths of the whole British capital in the West-India colonies might be considered to be vested. It became important, therefore, to bring these colonies under the natural protection of this country. This was not a proposition connected with war, but Parliament would be called on, in the course of the present year, to contribute one million in conseqence of that arrangement. That was the only part which would come into consideration in the course of the present year. There was another arrangement, which was not in the nature of a grant, of a specific sum, the interest of the loan obtained by Russia in Holland, which was applied towards the fortifications in the Low Countries."

"The total sum borrowed was three millions, but two millions of it only were applied to these fortifications. One hundred and fifty thousand pounds had been agreed to be paid as a consideration for that loan for a certain number of years. The object of that outlay was, the rendering of that part of Europe less vulnerable than it was when it was obtained possession of by the Allies. Russia was to be relieved of the charge of this loan, which was to be borne jointly between Great Britain and the king of the Netherlands. The price for the colonies could not be considered excessive; and it would not only go to create a system of fortification on that barrier, but it would make it the interest of the Emperor of Russia, as well as his duty, to prevent the Low Countries from ever falling into the hands, or being under the control of France. There was, therefore, this security for that country, in addition to the advance of Prussia to the Rhine, by which she became also interested in the safety of Holland.*"

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"It would have been in opposition to the feelings of the nation to have treated Holland in any other respect than as a country with which it was our object to maintain the most friendly relations; and much as he should have lamented if an amicable arrangement could not have been made by which England could retain the Cape of Good Hope, which was so important to this country, from its connexion with our territories in the East, and reluctant as he should have been to have lost an opportunity of placing so large a mass of British property as was contained in the islands of Berbice, Demerara, and Essequibo, permanently under the protection of the Crown of England; much as he should have regretted such important cessions, still would he have been content to forego all the benefits of retaining them, rather than have failed to act with the utmost friendly liberality and justice towards Holland. It ought not to be disguised, that though France might have overrun Holland from the lust of conquest, much of the misery which had fallen on that unfortunate country had been inflicted on account of the attachment and devotion it had cherished for England. This feeling, so difficult to extinguish, has never ceased to manifest itself; and it was possible but that for this, Holland might for a much longer time have escaped the storm by which she was overwhelmed.*" * * * * *

"The system of fortifying the Netherlands he considered wise, even as a measure of economy. It was necessary to preserve Holland and her navy independent of France, and this could only be secured by making the Netherlands strong as a military position. This would save the country the excessive expense of repelling the attempts which France might be induced to make at any future period. With this view of the subject, he conceived this country to be highly interested in fortifying the Netherlands in the manner proposed, the expense of which would be met gradually.†" * * *

"The state of things which had called upon us to take this charge upon ourselves had given us an opportunity of fairly, and without the appearance of illiberality, proposing to Holland the cession of her colonies to England. He had much satisfaction in stating that our conduct in this respect had been justly appreciated on the part of Holland. She had viewed it as a fair proposition made by a friendly power, and not considered it as the demand of a nation who, having obtained possession of her colonies in time of war, refused to relinquish them on the return of peace. The colonies obtained by the arrangement entered into with Holland were of great importance to this country, not only on account of their connexion with our eastern possessions, but on account of the situation in which they placed us with respect to South America, by which a constant supply of cotton was secured, which would prove an important advantage to the manufacturers of one of our staple commodities."

When he looked back and considered those speeches, and the manner in which his Majesty's present Government had acted towards the king of Holland, he could not but feel indignant as an Englishman. He would wish to know whether Holland might not justly demand restitution of those colonies which she ceded in return for the erection of those fortresses of which she was now deprived, and was not even allowed to interfere in the arrangement for disposing of them. Those fortresses were now in the possession of Belgium; but to-morrow they might be in the possession of France, and turned to purposes injurious to the interests of this country and of Holland. Here, then, was a case of much importance, and which deeply concerned the honour of this country, on which he wished for a satisfactory explanation and information; but his principal object, on the present occasion, was, to obtain information upon the subject of this strange plan for the Belgian army, to which he had already alluded; and he never could imagine that it would be permitted that it should be officered by Frenchmen. He was desirous not to trespass longer on their Lordships' attention; but, before he sat down, he must say a few words on the general foreign policy of the country, and on his own humble sentiments on the subject. A noble and learned Lord said that he was anxious for a war with France. He positively denied that inference. The difference between the noble and learned Lord and him was this;—the noble and learned Lord wished to embrace France closely as a friend, believing that if we were at peace with France, we must be at peace with all the world: he did not consider that all the endeavours of our Government to preserve peace with France might be subverted, as they would be, if the war party in France obtained power. All the concessions made by this country—all the efforts made to preserve peace—the abandonment of our allies, and our acquiescence in their degradation—the robbery of the Portuguese fleet—the demolition of the fortresses—the occupation of Belgium—the Belgian army's being officered by French officers, would then all go for nothing. France was our natural rival, and as such must be considered our natural enemy. History pointed out this indisputable fact; and though it was well to treat an enemy with perfect honesty, courtesy, and civility, yet it was, in his humble opinion, always most prudent, and most congenial to the feelings of Englishmen, to keep him at arm's length. Instead of this, however, our Government was allowing that of France to keep us so close in its fraternal hug, that it squeezed out everything it wanted from us. There was a sort of flirtation carried on between the noble Earl at the head of the Government, and the French government, which he could not say he beheld with approbation. We were obliged to yield every thing rather than incur the risk of overturning the present government of France, and run the hazard of a war with our crippled finances; and on its part it was ready, occasionally, in lesser points, to tamper with our negociators, and to meet the views of the noble Earl, in order that it might not upset the Reform Bill in its progress. The French Ministry believed the Reform Bill and the noble Earl's Ministry would favour France; but if, unfortunately, the Reform Bill should be passed, and the country be got into confusion by it, as he believed would be the case, we should then see whether the government of France would any longer desire to keep peace with a Government of this country, deprived of its advantages both of position and of character. By the great Treaties in 1814 and 1815, the Quadruple Alliance was formed to arrest the aggression and aggrandizement of France, and when peace was established, France was permitted to enter, at Aix-la-Chapelle, the general Quadruple Alliance for the maintenance of the repose of Europe; but Great Britain had never an idea of uniting closer in the bonds of alliance with France than with any of the other great Powers, and this policy and this attempt he deprecated, more especially when he saw the sacrifices made for it. These were his opinions on foreign policy. He was not anxious for war, but wished it to be avoided. At the same time, this country was bound to repress aggression, and to defeat projects of foreign aggrandizement, and, though desirous to avoid a war, in a just cause he was not afraid of it. He had formerly made use of some strong expressions with regard to the distinguished diplomatist who represents the government of France in this country, for which he was reprehended by the noble and learned Lord on the Woolsack—who, however, it must be recollected, said much stronger things both of the king of Holland and Don Miguel. He said nothing contrary to the private respect and esteem he entertained for that individual; but his public character was on record, and he dealt with it as a matter of history. That distinguished diplomatist was a Minister of Napoleon, of Louis 18th, of Charles 10th, and now of Louis Philippe. This Minister, therefore, could not be looked upon or spoken of as if he came into public life for the first time. He had not stated his opinion of his character in any underhand way, but in a way which gave him a full opportunity of knowing what was said. What he had said had found its way into the public journals, and it was competent for that diplomatist to contradict anything which he found was not borne out by facts. When he found it stated that this individual was constantly near the King's closet, that despatches were shewn to him in that quarter before they reached the public, and that his Majesty's Ministers went one after another to him, appearing to consult, invite, and to wait for his decision, he, as an Englishman, heard of such proceedings with some degree of disgust. They were indecent, and probably dangerous. He did not wish to express himself unfairly towards any one; at the same time he could not retract anything he had said; and if any noble Lord wished him to state the source whence he had derived his information, or the foundation for any expressions he had used as to the great power and ability with which Prince Talleyrand served his own Court—while his opinions never had been favourable to England—he would refer to the memorial of Talleyrand to Napoleon, as first Consul, dated 15th Brumaire, year 11, which was universally in print, and must have due weight on all minds that read it, especially if our policy now leans to what was advised in that document. He had a right, then, to advert to the public character of this individual, to doubt the propriety of the course pursued by his Majesty's Government towards him, and to suspect that his proceedings would be a little too much for the interest of his own government, and would tend in no degree whatever to advance the interests of this country. He was well aware that Prince Talleyrand was in habits of close intimacy with his noble and lamented relation, who fully admitted his great abilities and private amiable qualities. But his noble relation was not a person to be influenced by any individual. It was his habit to take his own course on all public matters, and to steer clear of any attempts to exercise an undue influence. No one could ever feel at that period that France domineered over the councils of this country, in order to carry her own objects, or that England on any occasion had truckled to France in the negotiations in which he was concerned. France was not then allowed to act as she had done of late, nor would she now have been so allowed had that Statesman been spared to his country. Feeling as he did on these subjects, it was impossible for him not to state his sentiments unreservedly. His Majesty's Ministers had reproached and blamed him for these discussions; but, they had done an infinite deal of good. The tone of the speeches delivered on that side of the House had been taken up by his Majesty's Ministers. The noble Earl at the head of the Government, had talked of pursuing "the even tenour of his way," and had said, that he treated the Opposition with perfect indifference, and that nothing said on this side of the House had any effect on him or the measures of his Administration. As the noble Earl stated this on his honour as a Peer of Parliament and a Minister, he was bound to believe him; but if any of his noble friends behind him should ever again come into possession of the *portefeuille* of the Secretary for Foreign Affairs—which, if Whig supremacy under the passing of the Reform Bill be not made eternal, may be the case—he should certainly beg to be allowed to see whether there were not some strange alterations in the Instructions sent after the debate which took place on the Monday as to Belgium. He should like to know what was done at the Conference immediately after this debate, on the Wednesday, and whether there were not some little memorandums then drawn up? He should like to see a copy of a certain short Protocol as to the fortresses, and also a certain private Letter, said to be addressed by the noble Earl at the head of the Government to M. Cassimir Perier, after the discussions in this House. He maintained that the speeches made in this House on that occasion (particularly the speech of the noble Duke near him) made a powerful impression on his Majesty's Ministers, which was visible at the time those speeches were delivered—it was universally noticed, and the discussion made the country know and feel that the course of his Majesty's Ministers was most discreditable and disadvantageous. He believed that the debate had induced them to change—and insist upon the French troops being withdrawn from Belgium; otherwise they would have remained in that country. Before he concluded, he would beg to ask his noble friend whether their Lordships were ever to have the communications respecting Portugal, which had been so long promised? Not a tittle of information had been laid before Parliament on our foreign affairs, since the present Ministry came into office, although negotiations had been carried on which had led to the most important results. The transactions with regard to Portugal were still wrapped up in mystery; and, if any reference were made to them, his Majesty's Ministers sheltered themselves by stating, that the House was not in possession of the papers which would enable it to come to an accurate conclusion; and now, if Parliament was to be prorogued—as it might be, according to what had passed in another place—and if no information was previously laid on the Table with respect to Belgium or Portugal, our foreign relations would be entirely at the mercy of his Majesty's Ministers, who had gone on so long without affording Parliament the slightest information on any one of those subjects with which it was most important their Lordships should be fully acquainted. The noble Marquis concluded by moving, "That an Address be presented to his Majesty, requesting that his Majesty would be graciously pleased to order, that there be laid before the House Copies or Extracts of all Communications that have recently taken place between his Majesty's Government, and the Governments of France and Belgium, relative to the employment of French Officers for the avowed purpose of disciplining, organizing, and acting with the Belgian Army.

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* Hansard's Parl. Deb., vol. xxxi, p. 455-6.

* Ibid. p. 743-4. † Ibid. p. 745.

Viscount *Goderich* was afraid that, in the few observations which he should have the honour of addressing to their Lordships, he should be under the necessity of inflicting a grievous disappointment upon his noble friend who had brought forward this Motion. His noble friend appeared to think that it was the duty of the Government on this occasion to take an opportunity of entering into a general discussion of a most discursive nature, not only upon every point connected with his Motion, but also upon every other point which his noble friend had raised with regard to Portugal, to France, and, indeed, with regard to the foreign policy of this and of all other countries in Europe. Now he must be allowed to tell his noble friend, that either he or his noble friend had altogether mistaken the duty of an Administration, circumstanced as the present was, and that he should, far from embracing, take care to avoid the opportunity which his noble friend had so temptingly furnished him with. A discussion like that in which his noble friend had embarked, was not only inconvenient, but even painful to the Ministers, under existing circumstances, because there was no other mode by which they could vindicate themselves from the imputations which his noble friend had cast upon them, than to abandon their duty by entering into explanations which would be in the highest possible degree detrimental to the public interest. His public duty restrained him from entering into the statement of those facts which were necessary for the vindication of himself and his colleagues; and his noble friend, therefore, must be left in the enjoyment of all the triumph he could obtain by casting imputations, which were not the less unfounded because it happened to be necessary that the public service required that the refutation of them should be delayed. He hardly knew how to deal with the motion of his noble friend, or, he should rather say, the speech of his noble friend. If he admitted any of the propositions which his noble friend had laid down, then his noble friend would claim credit to himself for having drawn correct inferences from those propositions; and if he gave his noble friend any explanation at all, his noble friend would be sure to ask for more. His noble friend appeared to think that discussions of this nature were the easiest possible. ["No, no" *from the Marquis of Londonderry.*] No: he knew that his noble friend had not said so; but then the clear and obvious inference from the course which his noble friend had pursued was, that nothing could be so easy as to discuss publicly, negotiations which, besides being the most important and most delicate possible, were not yet completed. He must contend that this was not a fair course of proceeding, and that there was as little of justice as of good reasoning in his noble friend's saying—"If you do not give me the information I ask, then the accusations I make against you must be true." This, he said, was not fair, because, though his noble friend would doubtless be very much gratified with that information, yet his noble friend ought to know that it was information which the Ministers were bound in duty not to give him. Unless his noble friend could prove that it was fair to assail an opponent whose hands were tied, his noble friend must fail in demonstrating that the course of his proceeding was not unfair. This, then, was his answer to the motion of his noble friend; and with this answer he should cheerfully throw himself upon the good sense and justice of their Lordships, but that he felt himself called upon to advert to one or two points of his noble friend's speech. The first of these points—though the most insignificant of them—which he felt himself called upon to notice was this; his noble friend had asked him how it happened that he, who had been a party to, and a coadjutor in the great settlement of Europe in 1814, could agree with his noble friend at the head of the Administration in the observations which his noble friend had made against many portions of that settlement. Now he assured his noble friend that he had given him credit for a part which he had not taken in that settlement. He was not even a member of the Cabinet at that time, although, through the kindness and attention of a relative of his noble friend, he had been made acquainted with the grounds of that settlement. He had no hesitation in saying, further, that he cordially agreed in that settlement, not because he thought it the best settlement, but because he thought that it was the best which could be effected under existing circumstances. He might have thought that, with regard to many parts of it, a much better settlement might have been made, and his noble friend was mistaken if he supposed that others, who were really what he was not—parties to the settlement—did not entertain the same opinion; but the question was, not what might be the best settlement, but what was the best settlement that could be made under all the various circumstances which must of necessity be considered in order to make any settlement at all. According to the limited means of judgment which he possessed at the time, he thought that the best settlement that was practicable was then made. Whether, with better means of forming an opinion, he had altered that judgment, or whether he retained that judgment still, were matters of no moment whatever; because, as a Minister, he was not called upon to look back to what things were seventeen years ago, and act in conformity with them, but it was his business, and the business of every other Minister, to look at existing circumstances, and to deal with them as prudence, and justice, and the national interest required. But his noble friend had said to him further—"How could you, a party to the great settlement of Europe in 1814, agree to the separation of Belgium from Holland?" This was really a most extraordinary question. Had he or had any of his colleagues been parties to this separation? Did they not find that separation effected when they came into office? Had not the present Administration, on their accession to office, found both the Revolution in France and in Belgium completed? His noble friend must, upon a moment's reflection, see that the present Government could have had no hand in consenting to either of these events, and he could assure his noble friend, that the one great object of himself and his colleagues had been, to render those events as innocuous as it was possible to render changes so important and so extensive as these changes were; and he need hardly observe, that all changes which were sudden in their advent, and extensive in their effects, might, though tending to the most beneficial, lead to the most disastrous results if not watched over. Far be it from him to blame any one who had been a party to these events, and he had made these observations for no other purpose than to show how unreasonable was the imputation of inconsistency which his noble friend had been pleased to make against him. Another part of his noble friend's speech to which he desired to advert was that which related to Prince Talleyrand, whom his noble friend had supposed to have great influence upon the councils of this country, and whom, proceeding on that supposition, and upon certain parts of that illustrious person's past life, this noble friend had thought he was justified in pursuing with the most acrimonius animadversion, although an ambassador from a friendly power. His noble friend, to do him justice, had not dipped his arrows so deeply in gall on this as on a former occasion; but still he must say, that his noble friend had, even on this occasion, indulged in language the most imprudent and the most indiscreet, that any public man could be betrayed into with regard to the ambassador of a friendly Power. He would not willingly have touched upon this part of his noble friend's speech, because he thought, that the sooner it was forgotten the better; but then, if he were wholly silent on the subject, it might be supposed, that the Government were of opinion, that these animadversions were not misplaced; and if that were the case, the plain inference was, that Prince Talleyrand ought not to be allowed to remain here. If the Government entertained the same opinion as his noble friend of Prince Talleyrand, it would be their duty to represent to his majesty the king of the French, that they could not transact business with such a person. He felt it necessary, therefore, to speak as he had spoken respecting these aspersions of the character of an individual whose station ought to have shielded him from such an assault. He knew that his noble friend would say that, because he protested against this indiscreet, and imprudent, and unjustifiable language, the Government were truckling to France. Let him, however, remind his noble friend, that Prince Talleyrand had been the Minister of the last two kings of France; and that Prince Talleyrand had also had a large and important share in the deliberations of the Congress of Vienna—the result of which deliberations the noble Marquis thought so wise and so good. Surely the noble Marquis might have remembered these facts; but if he had, he would never have entered upon the unjust, as well as the invidious, occupation of ransacking every portion of Prince Talleyrand's life, and bringing up in judgment against him, as present deeds and as acts of this day, transactions which had taken place when the circumstances of France were so different, and when no man could act as his reason or his inclination dictated, but as the strong and uncontrollable tide of affairs compelled him to fashion his course. He should be glad to meet in detail if he could, the charge of his noble friend, that this Government was truckling to France; but his noble friend had found the justification of that charge in a heap of measures and transactions which his noble friend had so huddled together, that he confessed he could see nothing but confusion in them. With the charge, therefore, and with that only, was it possible for him to deal. In the outset he indignantly denied, that there was the slightest ground for the accusation. The conduct of this Government towards France had been regulated only by considerations of amity and justice, which considerations had regulated their conduct towards every other power; and never, he was happy to say, had there been a time at which a more cordial unanimity existed between a Government of this country and the representatives of all the Great Powers of Europe than the present moment. His noble friend had, indeed, stigmatized the policy of the Government in the harshest terms, and had given his advice as to what their policy ought to be, but he hoped, that no future Ministers would be absurd enough to take his noble friend's advice, however kindly it might be offered; and he could assure their Lordships, that the present Government to whom that advice was offered in any but terms of friendship, would never dream of taking his noble friend to their councils. He had only now to notice the nature of the information which his noble friend sought to acquire by this motion, which information related to the intention of king Leopold to include in his service foreign officers, and, among those, French officers. He had already stated, that the public interest precluded him from meeting this subject as it ought to be met. Allow him, however, to observe, that it was by no means a matter of course, that an independent State—for Belgium was an independent State, however difficult might be the circumstances by which it was surrounded—should be interfered with by any other State for the purpose of preventing it from taking into its military service foreign officers. Indeed, this, which his noble friend complained of as an intention of King Leopold, was a common practice with other Sovereigns—he might almost say an universal practice. There was nothing new in it; but, on the contrary, some of the most eminent soldiers who had led armies to battle, had not been natives of the countries whose forces they commanded. This was particularly the case with Russia, among whose Commanders who had not been Russians, it would be sufficient to mention General Diebitsch and Admiral Greig. His noble friend had, perhaps, forgotten, that it was under the auspices of the latter that the Russians first attempted to form a navy. The same was true with regard to Austria, to Prussia, to Spain; and, indeed, to every nation in the world. He need hardly observe, that Holland fell under this rule; or, he should rather say, that her forces had more commonly been led by foreigners than by Dutchmen, General Chassé, he believed, was a Frenchman.

[Here a noble Lord, either the Lord Chancellor or some other noble Lord in his vicinity, made an observation; but in a tone so low that it was not heard at the bar. Viscount Goderich appeared not to have observed it, and was continuing his speech, when]

The Marquis of *Londonderry* said, " My Lords, I rise to order. I beg to put it to the noble and learned Lord on the Woolsack, whether it is orderly for a noble and learned Lord on the Woolsack, or for any other noble Lord, to prompt another noble Lord when he is speaking. I beg to put this question to the noble and learned Lord."

The *Lord Chancellor:* My Lords, I beg to state that I cannot sit here to be bothered with questions which emanate from the ridiculous ideas of individuals, who cannot or will not see anything however clear, nor understand anything however intelligible, and who, whether a noble Lord is engaged in conversation, or whether he addresses the House upon his legs, seem, by an unhappy infirmity of nature, to be lamentably incapacitated from understanding what is going on. I beg, moreover, to state to the noble Marquis, whom I have in my eye, that for the future I will answer no question of his—and will give him no information whatsoever. If the noble Lord feels aggrieved at anything I may happen to do, let him proceed against me by a vote of censure, and I trust I shall know how to defend myself, but I will answer no more of his questions.

The Marquis of *Londonderry:* I only asked the noble Lord a question as to a point of order, which I conceive that I had a perfect right to do. As to the personal and offensive expressions which the noble and learned Lord has thought proper to use towards me, I beg to tell the noble and learned Lord, that I shall be glad to hear them repeated in another place, and—

The Duke of *Richmond:* My Lords, I rise to order. I move that the words of the noble Marquis be taken down.

The *Lord Chancellor.*—No; I trust that my noble friend will withdraw that motion, and allow so trifling, absurd, and insignificant a matter to remain where it is. Perhaps, to your Lordships I ought to answer on the point of order. My answer then, is, that, strictly speaking, for one noble Lord to prompt another—as the noble Marquis calls it—is quite as much out of order as ninety-nine out of a hundred of the things which day after day pass in this House—or perhaps I am wrong even in allowing that one of every hundred of those things would be within the strict line of order, if each were subjected to the strictness of the letter of that line. As an illustration, let me observe, that if the strict rule of order had been observed, I ought to have called the noble Marquis to order when, in rising to put a question about Belgium, he made a speech about Spain, and Portugal, and Holland, and France, and Prince Talleyrand, and a thousand other matters. As to the hint which the noble Marquis has thrown out to me—filling as I do the highest judicial office in the land—and in a public assembly like the present, where such hints are not usually given—as to that hint, my Lords, I have only to say, that it has never been my habit to say in one place anything which I would not repeat in another; and that it is not likely I should fall into that habit now.

The Duke of *Richmond:* I shall certainly withdraw my motion, at the request of my noble friend. I am sure that the noble Marquis, when he talks of order, must see that nothing can, by possibility, be more disorderly than for a noble Lord to rise in his place, and invite the Lord Chancellor—or, indeed, any other noble Lord—to fight a duel; for such was the meaning of the words of the noble Marquis, and it is of no use mincing the matter.

The Marquis of Londonderry rose again, and Lord Goderich with him. The former attempted to address the House, but

Lord *Holland* said, that he also must rise to order. When a noble Lord was interrupted upon a point of order, as his noble friend had been, that noble Lord had a right to be first heard.

Viscount *Goderich* had some difficulty in speaking to the point of order, and had risen for the purpose of closing those observations which he was addressing to their Lordships when he was interrupted by his noble friend. He must, however, say, that if the noble and learned Lord on the Woolsack had made any observation, not one word of that observation had reached him. He would not detain their Lordships any further than to observe, that he might add to the catalogue of officers in the service of countries of which they were not natives, the Duke of Saxe-Weimar, whom every one knew not to be a native of Holland. If, then, the practice of employing foreign officers was common to every Power in Europe, surely there must be a very strong case made out before one country could be justified in interfering with an independent Power, for the purpose of preventing that Power from indulging in a practice which had not been denied to any other Sovereign. He believed that no case had been made out, and he could not consent to give his noble friend the information he sought to obtain by his Motion.

The Duke of *Wellington* said, that in the very few words which he had to offer on this subject, he could assure the noble Lords opposite, that nothing could be further from his wish than to embarrass the Government, or to disturb that good understanding which, he was most happy to hear, prevailed between this and the governments of the other Powers of Europe. He must further assure their Lordships, that there was no man in this country more desirous than he was, to witness the preservation of peace, not only between England and France, but all over Europe. He might differ with the noble Lords opposite as to the best mode of preserving that peace, but he certainly did not differ from them as to the necessity of preserving it, and he should most assuredly do nothing to hamper or to obstruct them in their exertions for the attainment of that most desirable of all objects. At the same time he was free to confess, that his view of the subject before them (which was the employment of French officers in the Belgian army) was different from that taken by the noble Lord who had just sat down. Before, however, he stated what his view of the subject was, he must be allowed to say a few words respecting the illustrious individual who had been strongly animadverted upon by his noble friend near him. True it was, that that illustrious individual had enjoyed, in a very high degree, the confidence of his noble friend's deceased relative; and true it also was, that none of the great measures which had been resolved upon at Vienna and Paris, had been concerted or carried on without the intervention of that illustrious person. He had no hesitation in saying, that both at that time, in every one of the great transactions which took place then, and in every transaction in which he had been engaged with Prince Talleyrand since, the latest of which had occurred during the short period in which he had been in his Majesty's councils after the late revolution in France—he had no hesitation, he said, in declaring, that in all those transactions, from the first to the last of them, no man could have conducted himself with more firmness and ability, with regard to his own country, or with more uprightness and honour in all his communications with the Ministers of other countries, than Prince Talleyrand. They had heard a good deal of Prince Talleyrand from many quarters, but he felt himself bound to declare it to be his sincere and conscientious belief, that no man's public and private character had ever been so much belied as both the public and the private character of that illustrious individual had been. He had thought it necessary, in common justice, to say this much of an individual, respecting whose conduct and character he had had no small means of forming a judgment. As to the subject before their Lordships, he could but remind them, that it was one in which the interests of Europe at large were materially involved, though we had taken the greatest part in it. When King Leopold left this country, he had congratulated their Lordships upon the proof which his Majesty then gave of his desire to be an independent sovereign. He believed that it was the intention of Government that he should continue independent, as well of this as of all other Powers. He firmly believed, moreover, that it was owing to our Government that the French army had been withdrawn from Belgium, and that the Government had insisted upon this withdrawal, from the conviction that King Leopold could not be independent while that army remained in Belgium. It was his opinion, that there never was, in any part of the history of the world, a period at which it would be more easy than at the present, for the independent sovereign of an independent State to assume a station independent of all the world, as a neutral State of Europe. This it was, at present, in the power of King Leopold to do, but it might not be in his power to do so a few months hence, for the events of a few months might make this as difficult as it now was easy. The noble Lord who had just sat down, had said, that, as an independent Sovereign, King Leopold had a right to take foreign officers into his service, and the noble Lord had instanced the practice of other countries in proof of this position. But, allow him to observe, that if Belgium were like Prussia or Russia, which had very large armies, the employment of foreign officers would not be a matter of much consequence, because the number of them must bear a small proportion to the number of native officers, and a still smaller proportion to the number of the troops; Belgium, however, had an army of not more than 20,000 or 30,000 men at most. Let their Lordships remember what the commander of a regiment was—he was the very mind and soul of his soldiers. Let them look at their own Acts of Parliament, and they would find that, by the law of England, foreign officers were not allowed to serve our King. And why had such Acts been passed? It was because we were sensible how vast was the influence which the officers must necessarily have over the soldiers they commanded. Such, too, had been the law of Belgium, until it was altered at the instance of the King. It was said, that there were now in Belgium as many as 400 foreign officers. He had heard, too (he should be glad to learn that this was not true), that 200 cuirassiers had entered Tournay, that there were as many as 800 at Liege, and 300 or 400 in Ath. These reports might be erroneous, but the statements with regard to the officers rested upon good authority. They knew that French officers had received permission from the king of the French to serve in Belgium; but upon what condition? Why, the condition was, that they should wear the French uniform, and wear their national cockade. There was another point, too, connected with this subject, which ought not to be overlooked. General Belliard, one of these officers, was not only a soldier of well-known military talents, but he happened also to be the French Ambassador at Brussels. The noble Lord had said, that King Leopold was an independent Prince. Independent? What, with an army of 20,000 soldiers, officered by Frenchmen? The thing was impossible! But they had been told, that the independence of the king of Belgium was to be guaranteed by England and by the other great Powers of Europe. This, however, was again impossible, for there could be no such guarantee if the king of Belgium was to have an army so constituted. He supposed that this plan of officering the Belgian army with Frenchmen was a substitute for the use of French troops. If so, he must be allowed to say, that the substitute had been most unwisely chosen. But this was not all. By the proposed arrangement, the Netherlands were to constitute a neutral State. He did not quarrel with this arrangement, considering the difficulties which would stand in the way of any other arrangement; and in spite of the inconveniences which might result from it to the other parts of Europe—inconveniences to which he was by no means insensible—he really believed that the arrangement would be found to answer if it were carried into strict execution, especially by France. The Netherlands, however, could never be a neutral State with such an army as it was now proposed to give to King Leopold, and he was sure it was only necessary to allude to these considerations, in order to awaken the noble Lords opposite to a sense of the impossibility of effecting what they proposed. No one could be more desirous than he was, to see this arrangement succeed, in order that the anxiety of Europe might no longer be intently fixed upon that part of the world; but it never could succeed if this military plan were allowed to go on. There was yet another point in which he should wish to put this subject, and that was, that the assistance of French officers was altogether unnecessary. He thought that he might speak with some degree of accuracy on this subject, because he had opportunities of knowing a little of that country and of its army. When the unfortunate dispute between Holland and Belgium broke out, and the expedition of Prince Frederick against Brussels failed, the military force of the two countries separated. All the Belgian officers remained in Belgium, and it was well known, that the service they had seen must qualify them for the duties which it was now proposed to confide to foreigners. Then there was the youth of Belgium. Was it meant to be contended that the youth of Belgium would not take up arms in defence of a Monarch who had been elected by the voice of the people, and that it was necessary for King Leopold to apply to his neighbour, the French King, for military assistance? He denied the existence of any such necessity. But he would not detain their Lordships further. His object in making these observations had been, to expose an arrangement which would make King Leopold little better than a Prefect of France, and lead to consequences that England would deplore.

Lord *Holland* merely rose for the purpose of observing, that, in order to come to a decision upon the Motion before them, it would be by no means necessary for their Lordships to enter into the consideration of the subjects to which the noble Duke had adverted. There was one part of the noble Duke's speech which had given him the greatest pleasure, and which reflected the highest credit upon the noble Duke. He need hardly say, that he alluded to the temper, the manliness, and generosity with which the noble Duke had animadverted upon what had fallen from the noble Marquis with regard to Prince Talleyrand. On public as well as on private grounds he thanked the noble Duke for that part of his speech. There could be little difference of opinion as to the injustice, and the want of generosity, of speaking in harsh and insulting terms respecting the ambassador of a friendly Power, resident amongst us. On the other hand, he felt that there could be no good taste in dwelling upon the virtue and merits of a man's own acquaintance, in an assembly like that of their Lordships; yet he trusted that he might be allowed to observe, that forty years' acquaintance with the noble individual who had been alluded to, enabled him to bear his testimony to the fact, that, although those forty years had been passed during a time peculiarly fraught with calumnies of every description, there had been no man's private character more shamefully traduced, and no man's public character more mistaken and misrepresented, than the private and public character of Prince Talleyrand. With regard to the question before their Lordships, he must remind their Lordships, that in coming to a decision upon it, they had merely to consider whether any parliamentary grounds had been made out for the production of the papers it called for. It might be, that much that had fallen from the noble Duke was of such a nature as to render it deserving of the notice and consideration of King Leopold; but had their Lordships any thing to do with it? He thought not; and if the Motion were agreed to, would that enable the Government to form a better opinion on the subject? Certainly not. The general principle applicable to this subject was, that an independent Prince might employ foreign officers if he thought proper. It was true that we had a municipal law—a very wise municipal law—which prohibited foreigners from serving in our army; but that law would not give any stranger the right of saying, that though we might choose to repeal that law, still we should not employ foreign troops. This was an internal regulation of our own, and whether we adhered to it or abandoned it, was our own affair, not the business of any foreign Power. Our municipal law did not change the general principle—a principle which had been acted upon by every nation in the world without any exception, and particularly in Portugal, where foreign officers had frequently been employed for the temporary purpose of organizing the military force of that country. And herein, let him observe, lay the fallacy of the noble Duke's reasoning; for the noble Duke had made no distinction between permanent employment, and the organizing and disciplining a force, which was a temporary affair. Well, then, if the general principle—the universal right, was as he had stated it to be,—and he believed that no one would venture to deny the position—the only remaining question was, whether there was in this case any peculiar circumstances, which took Belgium out of the general principle. If there were any such peculiar circumstances, had their Lordships any reason to believe that the Government had lost sight of them? No one had assigned any reason for such belief—no one had even expressed such belief. If there did exist such peculiar circumstances, and if there were no reason to believe that if they did exist, the Government, would lose sight of them, must it not be clear that the Government were engaged in a negotiation of considerable importance and delicacy, which, by agreeing to this Motion, their Lordships would take out of the hands of Government into their own management? This, he apprehended, was the real state of the question before their Lordships. The speech of the noble Duke might be, and, in his opinion, would have been, an exceedingly good speech for the Parliament of Belgium, but not for a British Parliament. He would not go into the facts connected with the subject, for that would be in effect to agree to the Motion, the object of which was, of course, to get at those facts. The noble Duke had justly stated, that the object of the settlement of the affairs of Belgium was, to make it a neutral State, and the noble Duke had admitted that he liked the arrangement. But the noble Duke had forgotten that Belgium was not yet placed in that condition. King Leopold, at present, was only under an armistice with a neighbouring and hostile Power, and he was therefore taking, not from France only, but from any other quarter from which he could procure them, the means of organizing his army, which, surely, was not an improper but rather a necessary precaution, while in the neighbouring country preparations were making for warfare. The steps, therefore, which King Leopold was taking, might, in this view of the question, be very fairly considered as steps essential for his own defence. Let their Lordships see also to what inquiries discussions like these might lead. Might they not excite other Powers to call for an inquiry into the military force of each other? Might not Belgium call for an investigation into what was going on in the Dutch army, and might not France demand to know how many Prussians or Austrians happened to be in the Russian army which occupied Poland? He put forward these considerations for no other purpose than to show the tendency of discussions like the present; because he had already stated that he resisted the Motion for the reasons, that no parliamentary grounds had been made out for it, and that, if agreed to, it could not by possibility lead to any good.

The Earl of *Orford* did not mean to deny the right of any independent Sovereign to engage in his service the officers of a foreign State, since he could not be expected to know, or, perhaps, to be able to ascertain to what country they belonged. At the same time, there were peculiar circumstances in the relations of this kingdom, France, Belgium, and Holland, that rendered the employment of French officers in the service of Belgium a matter of considerable delicacy. The French force having withdrawn, the enlistments from foreign States might amount to a new force as a substitute, and this Government ought to look with peculiar jealousy to the establishment of an army nominally Belgian, but virtually French.

The *Lord Chancellor* observed, that the ground upon which he rested his opposition to the production of documents, if any such existed, was similar to that which had already been stated by his noble friend (Viscount Goderich). That ground was independent of any matter of merits, and merely related to the expediency of the course recommended by the noble Mover. The question of interposition with the affairs of an independent State was at all times one of extreme delicacy, and at the present moment the difficulty was much increased. The embarrassment would be still further augmented by a compliance with the proposition of the noble Marquis. He would not be led away on this occasion to enter into the various more extensive topics upon which other noble Lords had incidentally touched, and which, in his opinion, had been somewhat injudiciously introduced into the discussion. The objection he had taken had been also relied upon by the noble Lord who spoke last but one (Lord Holland), and it did not seem, therefore, at all necessary that he should further enforce it. He could not help thinking that the debate upon these topics, however interesting and important, was premature, and that it would tend rather to retard than promote the object which the noble Marquis (Londonderry) himself no doubt had in view—the general pacification of Europe, and the removal of all the difficulties that at this moment presented themselves.

Lord *Holland*, in explanation, very briefly re-stated the point he had advanced in opposition to the Motion, adding, that he fully concurred with his noble and learned friend on the Woolsack.

The Marquis of *Londonderry* said, that after what had already been advanced upon this subject—after, in his opinion, the unanswerable arguments of the noble Duke (Wellington), and after the reply that had been attempted by noble Lords in various departments of the Government, he was content to leave the matter as it stood, without giving the House the trouble of coming to a division. He would say no more on that subject, but advert to a different topic. He entreated their Lordships to bear with him for a few moments only, while he endeavoured to clear himself, and to set himself right with reference to what had passed in the earlier part of the evening. He begged to state most distinctly, that he invariably paid the greatest respect to all that fell from the noble and learned Lord on the Woolsack, and as it was his anxious wish, so it was his constant endeavour, to avoid every thing that might be considered personally acrimonious. If he were at all times desirous of avoiding offence, he was more peculiarly so at this moment, when the House was on the eve of discussing a most important question, in the result of which the nation was so deeply interested. Hostility of the kind to which he had referred, at such a time was peculiarly objectionable. He was not aware, and did not believe, that he had ever given the noble and learned Lord just ground of exception, yet he could not help feeling, and therefore expressing, that no noble Lord who had ever addressed the House, had met with the same harshness of treatment as himself, and that not on this occasion only, but constantly and continually. This harshness applied equally to the arguments he had taken the liberty from time to time of using, and to the manner and form in which he had judged it right to clothe those arguments. It was not in human nature not to bear this circumstance in mind, and it was not extraordinary, therefore, if he were now and then betrayed into expressions which he had no hesitation in admitting had been better avoided. The House would be aware, that on this very night the noble and learned Lord had again applied to him language, to say the least of it, of a very harsh description, solely, as the noble and learned Lord had admitted in the candour which really belonged to his nature, and which at times he so well knew how to display, because what he had then said was not absolutely and strictly in order. He had then thought it right to reply to the expressions of the noble and learned Lord in a manner which, in his cooler moments, he was satisfied he should not have exhibited. If in the course he had taken, or in what had fallen from him under circumstances of some irritation, he had employed expressions painful to the feelings of the noble and learned Lord, he desired that noble and learned Lord and the House to be assured that he had not intended them to be so. He wished to be permitted to add, what, indeed, he had already said, that it was far from his wish to come in collision with the noble and learned Lord at any time; all he asked was the display of a little more charity of manner, if not of feeling, on the part of the noble and learned Lord, and to avoid the infliction of that harshness of which he had so much reason to complain, if at any time hereafter he should have occasion to comment temperately upon the observations of the noble and learned Lord. Reverting again to the immediate topic before the House, he had only further to say, that after the speech of the noble Duke, which could not fail to produce its impression, even upon his Majesty's Ministers, he should be content to withdraw his Motion, satisfied with the good it had already accomplished.

The *Lord Chancellor* said, that after the courteous expressions used towards him by the noble Marquis, which he heartily accepted, and after the explanation, so fit and proper, and at the same time made in so manly a spirit, a spirit of which he, as well as all their Lordships, must be sensible—he was anxious to say, that he had not heard without considerable pain the statement of the noble Marquis, that he was prone even to go out of his way to speak harshly of the manner in which the noble Marquis thought proper to discharge his duty in Parliament. He regretted that such was the impression upon the mind of the noble Marquis; but he should regret it still more if he felt that the remark was really justified by any part of his conduct. From the moment the noble Marquis commenced his observations of the kind, until now, he had been taxing his memory, in vain, to call to mind any occasion on which he had not been the party in the first instance attacked. While he said this, he was perfectly ready to admit that, it would be far better in future to put an end to any such disagreeable altercations on both sides. He was ready and willing to come to terms, to agree upon an armistice, or to sign a treaty of peace with the noble Marquis, which he was satisfied they could accomplish satisfactorily without the intervention of Prince Talleyrand, or any other great diplomatist. He would be his own ambassador, his own negotiator, on the subject; and, if he were let alone, he would engage never to break the engagement by becoming the attacking party. It was his earnest wish that the treaty should be permanent; but, at all events, a truce until the end of the Session, he was in hopes he could ensure, with the condition, that hostilities should not be renewed on either side without forty-eight hour's notice.

The Marquis of *Londonderry* rose merely to say, that he should be most willing to accept the terms proposed by the noble and learned Lord.

Motion withdrawn.

HOUSE OF COMMONS,

Thursday, September 29, 1831.

MINUTES.] Bills. Read a first time; Decrees in Equity; Sugar Refining; for the maintenance of Parochial Schools, and the advancement of Education in Ireland. Read a second time; Interpleader and Arbitration; Labourers House Rent. Read a third time; Charities Inquiry.

Returns ordered. On the Motion of Mr. STUART WORTLEY, the number of Drafts and Collections which passed through the Office of the Commissioners for the Affairs of India, between the years 1805 and 1810, inclusive.

Petitions presented. By Mr. CRAMPTON, from the Merchants, Traders and others in the Town of Galway; for Reduction of Stamp Duties on the admission of Royal Catholic Freemen. By Sir JOHN NEWPORT, from the Corporation of Waterford, praying that that City may be placed within the operation of the Baking Bill.

ROYAL SOCIETY.—(IRELAND).] Mr. *Crampton* presented a Petition from the Royal Dublin Society against the proposed diminution of the annual grants to that institution. The grant had never been less than 7,000*l.* per annum until the present year, when it was proposed to reduce it to 5,000*l.*, and while the House had voted 17,000*l.* for the annual expenses of the British Museum, they ought not to refuse a grant of 7,000*l.* to the Royal Dublin Society. The Society was established in 1745, for the promotion of science and the improvement of art, and it had been much favoured by the Irish Parliament. He was of opinion that the institution had been of the greatest benefit to the Irish community; and that it had been governed upon the most impartial principles was evident from the fact, that it had always cautiously avoided entering into any consideration of political or religious distinctions. He knew that it was imputed to it that it was a political club, but that was disproved by the fact, that during the last ten years, not one member ballotted for had been rejected. It was said, too, that the Society was extravagant; that he denied, but it had been of great service in establishing a school for instruction in the fine arts, and by encouraging a taste for them. Perhaps, to make the Society more useful than at present, some alterations were necessary, but he maintained that it was impolitic and injudicious to curtail the grant.

Mr. *Leader* supported the petition, and thought the diminution of the grant was totally uncalled for by any circumstances. He was a member of the Society; he knew that it was not a political club, and that the members of it had contributed nearly 20,000*l.* of their own money to advance science. The school of arts had been of great service, and the useful sciences of Botany and Mineralogy had been much promoted by the Society. He thought it was very hard on Ireland to destroy all its establishments.

Mr. *Lefroy* supported the prayer of the petition. The conduct of the Government in reducing the grant, shewed very little respect for Ireland, or for the feelings of the Irish population. He was not a member of the Society, and therefore was quite impartial. He was convinced that the gratuitous lectures had been of great benefit to Dublin.

Mr. *Chapman* could not but lament the very defective accommodation for the public in the Dublin Society as compared with the British Museum. The library of the Dublin Society was totally shut to the public, and the minerals and curiosities of its museum were very imperfectly exhibited. The Society deserved none of the encomiums bestowed on it, and he thought the hon. and learned Gentleman, the Solicitor General for Ireland (Mr. Crampton) had made an unwarrantable attack on the Government with which he was connected.

Mr. *Ruthven* viewed the object for which the Society was instituted with favour, and thought, the more it was promoted the better for the interests of Ireland. Instead, therefore, of curtailing the grant, he would augment it. He was not a member of the Society, but he was a supporter of the Government while it attended to the interests of Ireland, and he thought the hon. and learned Gentleman, the Solicitor General for Ireland, had done right in opposing the narrow economy which would injure his country, though it was recommended by the Government. He was ashamed of the paltry economy which would take away from such a useful Society the miserable pittance now allowed to it.

Lord *Ingestrie* had been requested to give the petition his support, and felt great pleasure in doing so. He was thoroughly convinced that the grant ought rather to be augmented than diminished.

Sir *Robert Bateson* conceived the reduction of the grant to the Dublin Society to be an instance of the application of the cold-blooded principles of political economy which unfortunately just now obtained such favour with Ministers, and which no man who regarded the interest of Ireland could honestly approve of. The Society was of great use, and its botanical garden and museum were such as Ireland might be justly proud of.

Mr. *Hume* begged leave to remind the hon. Baronet, that the proposition had emanated from a Committee of the late Government, of which Lord Leveson Gower, then Irish Secretary, was chairman, and in which the right hon. member for Harwich (Mr. George Dawson), took an active part. That Committee had recommended the reduction, because the Society had become a mere political club, and because its members contributed but 600*l.* per annum, while the public was taxed some 8,000*l.* a year for their exclusive advantage. In fact, while the members had contributed 19,000*l.* the country had granted 246,000*l.* All the advantages of the Society were confined to the members, and to the public at large it was of no use. To continue the grant would be a wasteful expenditure of the public money, and he was surprised that the Government should be attacked for withholding the grant, as if it had committed a crime.

Mr. *Henry Grattan* had been a member of the Committee, and could bear testimony to the accuracy of the hon. member for Middlesex's statement. The spirit of exclusion prevailed in the Society, and it was much more a Tory club than a scientific society.

Mr. *Lambert* thought the reduction most justifiable, as the Society was useless as a public institution, and had degenerated into an exclusive high Tory club. He knew an instance of a learned Gentleman, a member of that House, who had been rejected by the Society.

Colonel *Conolly* contended that the Society was highly useful. It was serviceable, not only to agriculture, but to science generally, and to the fine arts; and as Ireland was deprived of so many individuals of the upper ranks, through absenteeism, it would be extremely hard to deprive the capital of that country of this Society. Many of its members he was personally acquainted with, and could bear his testimony to their love of science, and their exertions to promote the interests of the country. Ireland had yet many mineralogical riches unexplored, which were only likely to become profitable by the exertions of such a Society. He must confess he thought it would be bad policy, as well as miserable economy, to diminish the grant. He certainly should support the wishes of the petitioners for an increased rather than a diminished grant. He had never before heard it imputed that the Society was a political Society, and he must beg leave to doubt that assertion.

Mr. *Hunt* thought, that the Society was entitled to the grant, and he was surprised to hear the hon. member for Middlesex support the Committee, considering that a recommendation to reduce the amount of the Civil List had been disregarded, which the hon. Member had considered so essential.

Mr. *Maurice O'Connell* conceived, that the plan of the Committee, which they had recommended for the adoption of the House, was a good one. The object which the Committee chiefly had in view was, to do away with that spirit of exclusion, that feeling of political party manifested by the Society, and make it accessible to all who wished, and were qualified to become Members.

Mr. *Crampton*, in reply, said, the most unjust imputations had been cast upon the Society, which was of great importance to Ireland, and afforded the greatest encouragement to the progress of knowledge.

Petition to be printed.

SALARY OF THE PRESIDENT OF THE BOARD OF CONTROL.] Mr. *Stuart Wortley* did not bring forward his motion, regarding the late reduction of the salary attached to the office of President of the Board of Control, from any feeling of hostility to his Majesty's Ministers. He found no fault with them, except that they had adopted too hastily the recommendation contained in a report of a Committee of that House. The Committee had examined witnesses respecting the duties performed by other officers, and had given the evidence and the documents on which they grounded their opinion in every case where they proposed to reduce the salaries of officers; but here they had given none, but merely declared it expedient to reduce the salary from 5,000*l.* to 3,500*l.* a year, without assigning any reason. It was indeed supposed, because the President had not so much duty to perform as the other high officers of State, that his place was not of as much importance. He certainly was not required to attend as much in Parliament as the Chancellor of the Exchequer, but was that a sufficient reason for diminishing the salary of the office? He thought that was a reason for increasing the salary, for the

President had an immense deal of business; but, as that business was not of a nature to make him known to the public; as his duties, though onerous were unostentatious, and obtained none of the meed of public approbation, the office ought at least to have the sweets of a proportionate pecuniary recompense. Another reason on which the Committee proceeded was, that the salary of this office originally stood at 2,000*l.*, and had been lately increased to 5,000*l.* a year. That such an argument should have weight with the hon. member for Middlesex, he would not deny; but he could not conceive a more superficial idea than that, because twenty years ago, the salary stood at 2,000*l.*, it ought now, therefore, to stand, not at 5,000*l.* but at 3,500*l.* a year. If this argument had any weight with the hon. member for Middlesex, he ought to go further back, and revert to the original constitution of the office, when there was no salary at all. The history of this office was this. It was originally instituted by Mr. Pitt in 1784, and introduced into his India Bill, which was brought in after the rejection of that of Mr. Fox. By that bill the Commissioners for the Affairs of India were to act without any salary. The Board consisted of a Committee of Privy Councillors, who were to derive their emoluments from other quarters. Mr. Pitt ascribed great merit to this scheme, and for nine years the business of India was done by Mr. Pitt and Mr. Dundas. But what was the result? In 1793, it was found so inefficient, and so little adapted to the great purpose for which it was designed, that it was determined to remodel the Board, and the necessity of giving salaries to the Commissioners was recognized. This continued until 1810, when, in consequence of the vast increase of business in the office, another alteration took place, and it was deemed necessary that the salary, which was then 2,000*l.* a-year, should be increased to 5,000*l.* It might be, perhaps, said, that it was the interest of those who held the office, and the patronage of Government, which were then considered, instead of the real discharge of business; but he would state a few facts to prove that the immense increase of business justified the increase of salary. In the first place, let the House consider the extent of territory in India intrusted to the superintendence of this officer. In 1792, the territories under the superintendence of this Board comprised;—in Bengal only what are called the Lower Provinces; that is, those in the vicinity of Calcutta; in Madras, nothing except what was immediately about the town, and one or two forts, and what are called the Northern Circars; in Bombay, nothing but the town and one or two islands. At that time the business could not be very great—but look to the increase that had since taken place. In 1792, we entered upon war; and, in 1799, we concluded a second war, the result of which was, the acquisition of immense territories in the Mysore, as well as a great cession from the Rajah of Tanjore. In 1800, there was the cession of other districts originally belonging to Mysore, and which had been transferred to the Nizam. All these came under the superintendence of the Commissioners. In 1801, there was again an important addition, for, in consequence of the circumstances which took place between the Directory and the Nabob of the Carnatic, there was a cession of almost the whole of his territory. In 1801, came another addition to Bengal; for at that period the cession was made, by the Nabob of Oude, of the territories now called the Central Provinces. In 1803, we concluded the Mahratta war, which gave an accession of territory both to Bengal and Madras. From that period, up to 1810, as any one who looked at the map of India must be aware, the accessions of territory in the southern provinces of the Peninsula had caused a vast increase of business in this office. That was the case in 1810, but since then, there had been further accessions of territory; and, if there were reason at that time to make the salary of the President of the India Board 5,000*l.* a-year, that reason still continued in full force. In 1817, in consequence of conquests in the Mahratta war, we had a cession of the Deccan. In 1818, the Pindaree war occurred, which ended in our acquisition of considerable territory to the south of the Ganges and the Jumna; and, in 1827, we had other cessions from the Burmese empire. Now, after these vast accessions of territory, was there any ground why there should be a reduction of the salary of an officer who had on his shoulders the responsibility of the government of all these provinces? It must also be recollected, that the amount of this responsibility was greater than that which arises merely from the amount of increase of territory and population, because the regulation of the revenues, and the fiscal arrangements of these new territories was one of the most critical tasks that could be undertaken. There could be no doubt, herefore, that the increase of labour was much greater than the mere increase of numbers or of space; and he would state a few facts, to shew the degree in which the labour had increased. In 1792, the revenue department was confined to the ancient provinces, or to those which the India Company possessed before the renewal of its charter. The amount of the revenue had risen successively, from 2,000,000*l.* to 6,000,000*l.*—to 8,000,000*l.* — to 11,000,000*l.* — and, finally, to 16,000,000*l.* It was unnecessary to state that the expense had increased in proportion, and the labour in a still greater ratio, because the department of the land revenue of India was environed by many difficulties. In 1792, the number of collectorates, as they are called, was twenty-eight, in two out of the three Presidencies; while, in the three Presidencies of Bengal, Madras, and Bombay, in 1810, the number had increased to eighty-six. Let the House consider the difficulties that must arise, not from merely trebling the number of collectorates, but from the vast increase of territory, which rendered so many necessary, and in which, be it remarked, we had not to proceed with the current institutions of the country, but to remodel the whole system. In 1813, there were ninety-seven, or more collectorates; and even that was not a fair or accurate mode of estimating the business connected with the land revenue. In 1794, the whole number of the Company's civil servants, Europeans and natives, employed by the two Presidencies of Bengal and Bombay in the collection of this revenue—he could find no account for Madras — was 20,000, and the charge for them amounted to 1,700,000*l.* In 1808, the number had increased to 58,000 and upwards nearly three times the former number, and the charge had risen to 4,800,000*l.* In 1827, the last year for which the accounts were fully made up, the number of civil servants was 137,000 and the charge came to 5,700,000*l.* These were tests of the increase of business in this department, which it was impossible to repudiate, and they alone would be enough to induce the House not to sanction the reduction of salary that had been recommended. He had mentioned the civil service and the land revenue as two accurate tests, and the land revenue was so interwoven with the judicial system and the police, that it might be taken as a test of their increase also. But there was one other part of the machinery of the government of India, to which it was necessary to allude—he meant the army. In 1792 the whole military force, army and navy, in India, amounted to 70,000 men—the charge for which was 3,000,000*l.* In 1809 the number of the Indian army had risen to 153,000, and the charge came to 7,800,000*l.* He could not ascertain precisely the present amount of the military force there, but it did not fall short of 250,000 men, at a cost of near 11,000,000*l.* These facts proved the immense increase of the business of the Board of Control; to confirm that he would advert to another fact. He held in his hand the number of drafts and collections—that is to say, of the despatches, which have passed under the inspection of the Board for several periods of five years. The average of these before 1810, was 225. In 1828 and 1829 a most important alteration took place in the mode of conducting Indian correspondence, but in the four years preceding that period, these collections amounted on an average to 500. Any one who knew anything of India was aware of what these collections were, and his right hon. friend near him (Mr. Courtenay) had formerly, in March 1822,* given a full description of them. During the time, while he was connected with this Board, he had seen one case of a collection before the Board, which contained no less than 20,000 folio pages, from which it was necessary to make selections. These collections increased in the five years, up to 1810, to 546, and in the five years before 1826 they rose to 1,865. After having drawn the attention of the House to these facts, he submitted it to their good sense, whether, taking the amount of the business as a test of the increase of the labour of the office, a case was not fully made out. There was no situation under the Government which required more assiduous attention, and more unwearied diligence, than that of the President of the Board of Commissioners for the affairs of India. On this point he would quote an authority that would have great weight with hon. Gentlemen at the other side of the House, he meant the late right hon. member for Knaresborough. Mr. Tierney, in the course of a debate on this subject, said—"He desired it should not be understood that he undervalued the labour of the President of the Board of Control. There was no department of the State which required more accurate information, or greater steadiness of application, than that office."* If this were the case, and if, as Mr. Tierney said, the discharge of its duties required the most accurate information and the most steady application, was it good policy and economy to lower the salary, and thus lower the rank of an officer so important in the State, and, perhaps, by so doing, lead to an inadequate discharge of his high duties? Let the House consider what supreme control was lodged in this Board. In the first place, the President of the Board had a seat in the Cabinet, and must be a principal person in the Government. Next, he had to do what no other officer had, to justify every step he took, and could make no alteration in a despatch without stating his reasons for it. The Secretary for the colonies, when he sends a despatch to any part of our possessions, signifying the King's pleasure, retains the reasons for what is there directed in his own breast, unless called upon by higher authority to state them. But if the President of the Board of Control made an alteration in a despatch submitted to the Board of Directors, it had again to be canvassed by them, and if they disapproved it, he had to assign his reasons, sometimes more than once, before he could prevail upon them to adopt his alterations. He had to deal with two distinct sets of authorities, who constituted the machinery of Government. In the first place he had to deal with the Court of Directors, the ruling authority of India, and in the next place, with the Government in India. The Court of Directors was in immediate communication with the President of the Board of Control, and had to submit to his authority. Was it expedient, then, that he should be a Minister of less weight, and holding his office less permanently than the other Ministers of the Crown? Was it likely that if he were so, the Court of Directors would look up to him with deference? The same kinds of reasons applied to the communications of the Board of Control with the authorities in India. Was it not of the greatest importance that the noble and distinguished men who were sent out as Governors-general to India the Cornwallises, the Wellesleys, the Hastings, should feel that their superior in this country was a person of high station in the Government; and an effective and permanent officer? If any change took place in the remuneration given to that officer, which would lead to his being otherwise regarded by the local government of India, the efficiency of his office would be most materially impaired. When he spoke of the Court of Directors being the ruling body, the hon. member for Middlesex cheered, implying that they were the effective authorities, and that the Board of Control was a nullity, but the hon. Member was mistaken. The right hon. Gentleman opposite must know something of the office, and he would be able to say, whether there was not a most accurate investigation of every subject sent to the Board from the Court of Directors. Formerly, indeed, the administration of Government in the Board of Control was very ineffective, and the business was very ill-performed for fourteen or fifteen years after the establishment of the Board. But in 1807 an important change was effected in its constitution. It was divided into departments, corresponding with those at the India House; and the result had been, that there was no department of the Government, the duties of which were more laborious, or which required more diligence, Very few despatches were returned from it without some alteration by the Commissioners. Whether the Board were a good contrivance or not he would not discuss; but if it was to exist in an efficient state, it should continue as now, and to reduce the salary of the President would impair its efficiency. These reasons appeared to him to justify the Government for not adopting the recommendation of the Committee appointed to consider the possibility of reducing the salaries of the high officers of the Government. The reduction of the salary of this office, could be no gain to the people of England; but would be merely a remission of a part of that sum which the Company was compelled to appropriate for the maintenance of this establishment: 1,500*l.*

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* Hansard's Parl. Debates, New Series, vol. vi. p. 1138.

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* Hansard's Parl. Debates, New Series, vol. vi. p. 1145.

struck off from this salary, therefore, would be so much added to the revenues of India; but not one single farthing to the revenues of this country. When this argument was urged upon a former occasion, it was said that, although there was no direct gain to the revenues of England, yet there might be a remote gain, as the Company were compelled to give its surplus revenue to this country. With regard to this contingent advantage, the House might be assured that there was now less prospect of any surplus, which this saving of 1,500*l.* would swell, than ever there was at any former period. The question, therefore, was one of public policy only. Upon what principle was this reduction recommended? The Committee had reduced the salaries of the Secretaries of State from 6,000*l.* to 5,000*l.*, or one-sixth, a-year. Had they followed the same rule with regard to the office of President of the Board of Control, its salary would have stood at 4,200*l.* but, instead of that it was reduced 700*l.* lower, whilst as important duties were attached to it as to any other office in the Government. It was a most unreasonable proposition, that the Secretary for the West Indies, the Cape of Good Hope, and, comparatively speaking, other small colonies should stand upon a higher footing than the Secretary for the empire of India, with its vast wealth and immense population. For these reasons he trusted the House would not think it expedient to sanction the recommendation of the Committee; and although the Government had acted upon that recommendation, he did not believe if they were speaking in their private capacity, that they could say that this salary was too high as it before stood. He called upon the House to prevent the mischief which the determination of his Majesty's Ministers might occasion, and restore this office to the rank and station it had for so many years held. He begged to move these resolutions.—"That it appears to this House, that the salary attached to the office of President of the Board of Commissioners for the Affairs of India has been fixed, since the year 1810, at the sum of 5,000*l.*, since which period the business to be transacted by the said Board has been considerably increased. That the administration of the affairs of India, the control of which is vested by Act of Parliament in the said Commissioners is one of the most important departments in the Government of this empire, and imposes upon the President of the said Board, laborious and peculiar duties. That it does not, therefore, appear expedient to this House that the said salary should be reduced to the sum of 3,500*l.*, proposed in the Report of the Committee appointed to consider of the reduction of Salaries, more especially since the said sum is so much less in amount than that which is therein recommended for the Salaries of the principal Secretaries of State, who are the chief Officers of the corresponding departments of Government."

Mr. *Charles Grant* complimented the ability with which his hon. friend had introduced the subject; and assured him that if he did not follow him into all his details it was not from any want of respect, but because he considered the question as already settled. Although the Ministers and Parliament certainly were not positively bound to adhere to the opinion of the Committee in all respects; yet unless some flagrant injustice were pointed out, they ought to follow its recommendations. He had no right to assume that the Committee had not entered into an examination of all the duties performed by the President of the Board of Control. When the Report was presented, he had abstained from making any observations upon it; he should still abstain. He thought it still less necessary to take any step upon the subject, as the whole question of our East-India government was to come under discussion in the course of two years. The only ground on which he could have agreed with his hon. friend, that interference was advisable would have been, if he had supposed the reduction of the salary of the President of the Board of Control would have diminished the dignity of that officer in the eyes of the native population of India. But he did not believe that such would be the case; and he saw no other ground to induce him to acquiesce in the Motion.

Mr. *Ruthven* was of opinion that the principle of economy ought to be applied to the Indian government as well as to that of this country. He believed that the duties of the office in question would be as efficiently performed for 3,500*l.* as for 5,000*l.*

Sir *George Warrender* thought, that some reduction ought to be made in the salary of the President of the Board of Control, but was of opinion that the Committee had recommended too extensive a reduction.

Mr. *Cutlar Fergusson* did not see why the salary of this important public officer should be reduced in a disproportionate degree to that which had been carried into effect in the salaries of the other officers of State. He was of opinion that the office itself should be raised to that level, that the individual who filled it could look no higher, but would at once attach himself to the serious consideration of the high and important duties which he had to perform, instead, as was often the case, of looking up to higher offices. The main evil, however, to be remedied was, the constant change in the person of the President of the Board of Control, owing to the changes in the Administration, and the consequent change which must, of necessity, follow in the whole principle of the government of India. The office ought not to be a political office, as far as the Administration of the State affairs of England was concerned; but the person who filled it ought to be so permanently appointed as not to be liable to go out of office with any Administration, but to be able to settle himself seriously to the consideration of the high duties of his office.

Mr. *George Robinson* said, that if he thought the efficiency or dignity of the office would be impaired by the reduction of salary, he would vote for the Motion, but he could not for a moment believe that this would be the case. If the reduction of salary should be resisted on the ground that the business of the office had increased, it would be impossible to effect any reduction of the salaries of officers in the same department, for their share of business must also have proportionably increased.

Mr. *Hume* said, that the hon. Member who brought forward the Motion had adverted to the Indian army and revenue, as a ground for augmenting the salary of the President of the Board of Control. Upon the same principle, the salary of the Chancellor of the Exchequer ought to be exceedingly augmented. If large salaries could command great talents, he would not object to paying them; but all his experience tended to convince him that this was not the case. He thought the Committee had drawn a fair line, and he would not quarrel with it. He condemned the frequent changes in this office as most injurious, because it was impossible any human talent could enable a man to obtain a thorough knowledge of his business during the time he remained in office.

Mr. *Irving* said, that, in his opinion, the great officers of State, instead of being too highly paid, were remunerated on too contracted a scale. He thought that the Committee had gone too far in the recommendation of reductions; and if the power to propose an increase of salaries had been given to them, he would have been ready, in certain instances, to have voted for additional remuneration.

Mr. *Courtenay* said, that on this occasion, he might perhaps venture to address the House without making an apology for taking up its time. On this question he deemed it his absolute duty to give his opinion, for, having spent sixteen long and dreary years at the Board of Control, he was, perhaps, more competent than any other individual in the country to give information upon it. It was not without astonishment, he might say indignation, that he had witnessed the conduct of the Government on this occasion. The Committee was appointed on the motion of the noble Lord (the Chancellor of the Exchequer), and yet not one of the Ministers, with the exception of his right hon. friend, the President of the Board of Control, had risen to defend the recommendation of the Committee. Every one who knew his right hon. friend must feel certain, that he could not possibly take any other part than he had taken, on a question which, if carried affirmatively, would put 1,500*l.* a-year into his pocket. The speech of his right hon. friend was, however, a most feeble one, not that he impugned the talents of his right hon. friend, but the course he took made it impossible that his speech should be otherwise than unsatisfactory. His right hon. friend thought that he was bound to take it for granted that the Committee made this reduction upon an examination of the duties of the office; but he could take upon himself to say, on the authority of one of the members of the Committee, that no such examination took place. The hon. member for Preston said, that they examined a former member of the Board, who was on the Committee. Who was that?—Why the right hon. member for Honiton. With all respect for that hon. Member, he must say, that whilst he was a member of the Board he was as ignorant of the affairs of India as he (Mr. Courtenay) was of the *Almanach des Gourmands.* The hon. Member said truly, that the President had less of presentation than any other Member; he had fewer dinners to give; but did his right hon. friend think there was no other duty so important? He appeared, indeed, to have retired to dinner, and was perhaps then eating his Michaelmas goose! The hon. member for Middlesex had probably drawn his ideas of the duty of the Board from Mr. Creevey; but, because twenty years ago there were members at the Board who did nothing, was it to be inferred that the office was still inefficient, and that a person, properly performing the duties of it, was not to be adequately paid? He could confirm, in its fullest extent, all that had been said by the hon. member for Bossiney (Mr. Stuart Wortley), with respect to the laborious nature of the duties of this office, and he spoke of them not merely as they ought to be performed, but as they were actually performed. In point of extent, those duties, at the very least, were equal to the duties of any other Minister of the Crown, and, in some respects, were greater. But it was said, that the President of the Board of Control, however laborious his duties, was not considered of equal importance in the State to any of the Secretaries of State. He did not occupy so prominent a place in the eyes of the country as the Chancellor of the Exchequer, and other Ministers; but that made a case in favour of giving large emolument to the office—for that was the reason why the President of the Board of Control was so frequently changed; and was it not clear, when the salary was reduced, that the more able the President, the more likely it would be that he would soon leave the office? It was not true, that since the office had been placed on its present footing, persons had been so prone to leave it. Before 1807, as he had stated nineteen years before, in the speech to which his hon. friend had alluded, the duties of the India Board were very imperfectly performed. The late Lord Melville held other offices, which made it impossible that he could attend to the duties of the Board of Control. After he had left office, as long as the salary remained at 2,000*l.*, there was a quick succession of Presidents of the Board of Control. The late Lord Minto, a most efficient person, was speedily removed to the government of India. He was succeeded by the brother of the Prime Minister (Mr. Thomas Grenville), who was speedily removed to the Admiralty, and then came Mr. Tierney, who left the office on the change of Administration. After this, Lord Harrowby accepted it, but was obliged to resign, on account of the excessive labour attached to the office. At length the present Lord Melville was appointed President, and held it in 1810, two or three years before which, those alterations were made which rendered it a most efficient office. The changes that took place in the Presidency after these alterations in the duties, were not made, as the former were, on account of the lowness of the salary. The hon. member for Middlesex had treated with some degree of ridicule the statement of his hon. friend, relative to the increase of business arising from the increased magnitude of our army, territory, and revenue, alleging, that on the same principle, if the Chancellor of the Exchequer were paid according to the increase of his business, he would receive five or six times as much as at present. But it must be understood that the increase of business in the office of Commissioners for the affairs of India, did not arise so much from an augmentation of the duties to be performed, as from the increased efficiency of the Board in performing those before entrusted to it. He spoke of the office up to the year 1828, when he left it, and he had no reason to believe that there had been any relaxation since in the assiduity of the different departments. He did not say that good and efficient men might not be got to fill the office in the first instance, but none could keep it, at the salary proposed, unless born to hereditary wealth. This led him to notice the most extraordinary misconception of the hon. member for Middlesex, as to what was said by the hon. and learned member for Kirkcudbright, when he stated that this office should be filled by a statesman of the first rank. The hon. and learned Member did not mean a Duke, but a man of the first rank as to talent—men, who, like his late friend and master in this department, Mr. Canning, raised themselves by their talents to a level with the first Duke in the land. If these reductions were made for the sake of the people, he could only say, that this was the most atrociously aristocratical course of proceeding the House could adopt. The consequence would be, to place the whole public service in the hands of the sons of Earls, and other noblemen or men of considerable wealth. Such a great reduction of the salaries of public offices would make it impossible for any man to take to the public service as to a profession. He knew that sneers had been cast upon those who took to the public service as a profession. He wished they could come to some understanding on this subject. If it were the opinion of Ministers that no person ought to enter into the public service who had not, independently of it, the means of supporting himself and family, he thought they ought to move an Address to the Crown to give effect to that opinion. Let them state to his Majesty, that, having taken a philosophical view of the question, they had discovered that talents and a disposition to work were found in exact proportion to the absence of the necessity for one or the other! That would certainly be a new view of the subject; for, from childhood up, all men were taught that necessity was the most efficient stimulus to exertion, either in public or private concerns. If this principle were adopted, he hoped it would be made public, as a fit accompaniment to that measure, by means of which, as was said, the people were to receive greater power in the Legislature. Certainly, if they were fit to be admitted into the Legislature, there was no reason why they should be excluded from the exercise of the executive functions of the State. His hon. friend near him (Mr. Stuart Wortley) gave one reason of the greatest weight, for the party filling this office being of the first rank and talent—namely, that he who was to superintend the future Cornwallises, Hastingses, and Wellesleys of India, ought to be regarded by them as a person of high esteem in the country, and of commanding influence in the Administration. He knew that sneers were cast out upon persons on that side of the House, who voted against reduction of salaries; and an hon. Gentleman, not then present, had taunted the late Chancellor of the Exchequer, and him (Mr. Courtenay) with again wanting to taste the sweets of office. He did not pretend to say, that the emoluments of office were indifferent to him; but he asked, whether, when persons of landed property, of West-Indian or other interest, were heard with indulgence, and treated even with tenderness by those who thought it necessary to oppose them—he asked, whether those who constituted another oppressed, though less extensive interest, ought not also to be heard with indulgence? He begged the House to consider, that the reduction of the salary of these offices to so very low a scale, would exclude from them those who had entered the public service as a profession, and indeed all men who were not born to wealth. Whether the House were prepared to come to that conclusion or not, it was one to which he could not come: but he could hardly trust his feelings upon this topic. It had been his intention to take that opportunity to enter into the whole question of the reduction of salaries; but, in the present state of the House, he would not do so. Many of the circumstances adduced for lowering this salary were, with him, reasons for increasing it. It was not only the most laborious, but the most thankless and disagreeable of all the high public offices. The holder of it entered less into the general business of the country, was less before the public, and had less opportunity of distinguishing himself in Parliament, so as afterwards to rise to a higher situation, than any other public man of an equal rank. They could not make the Presidentship of the Board of Control an agreeable office, and could only make it efficient by not reducing its value. The hon. member for Worcester seemed to think that the Court of Directors did all the duty, and that it was the office of the Board of Control only occasionally to check them. The name of the Board did not express its full powers. Its members were called Commissioners for the Affairs of India, and they superintended, directed, and controlled, all acts, operations, or concerns, affecting the revenue, or the military and civil government of India. In fact, they had to direct the whole administration of India; and this duty they actually performed. During the many years that he was in that office, not a single paragraph of the thousands and tens of thousands which came up for the consideration of the Board, was passed unnoticed. It was a great mistake, therefore, to suppose that it was only an office of occasional control, and was not as laborious and efficient as any of the other high offices of the State. He gave the Motion of his hon. friend his most cordial support.

Lord *Althorp* said, the hon. Gentleman who had just sat down had made it a cause of complaint, that no Minister had delivered his sentiments on this question. He could assure the hon. Member, that he had not intended to let it pass without expressing his opinion; but he was anxious, in the first instance, to hear the sentiments of other Gentlemen. When the Committee was formed to inquire into the amount of salaries, for the purpose of reducing them, it was deemed expedient, instead of commencing with the inferior offices, to begin with some of the superior ones—not from any impression on his mind that those offices were overpaid, but because the public seemed to believe that they were. He did not think that the persons holding office were the most proper to decide on the subject of salaries, and therefore it had been referred to a Committee of that House. Though the Committee had recommended certain reductions, still it was fair to say, that the Government was responsible for their adoption. If the recommendations of the Committee appeared to be unfavourable to the public service, though the Committee might be blamed for making such recommendations, still the Government must come in for their share of censure in acceding to them. He admitted that official salaries should not be so low as to exclude persons of small property from taking situations connected with the Government of the country. Such a system would take away from different classes of society a strong encouragement to accept office, and it would throw the Government entirely into the hands of persons who had large private fortunes. This, he conceived, would be very detrimental to the public service. At the same time, he could not acquiesce in the doctrine, that salaries should be so constituted as to induce individuals to make the acquirement of office a profession. There were many reasons, quite independent of emoluments, which induced individuals to take office. Gentlemen frequently felt themselves bound, not only without any desire on their part, but absolutely against their will—acting under a strong sense of public duty—to take office. He did not, however, think (in, reference to the observation which he had heard, that the pursuit of office ought to be made a species of profession)—he did not think that it was likely that any man would thus rear his son with a view to public life. Ministers were frequently changed; when that was the case, office must be vacated; and therefore it was impossible, uncertain as the tenure was, that the amount of salary could induce individuals to enter into the public service in high situations. The hon. member for Kirkcudbright (Mr. Cutlar Fergusson) had said, that, in apportioning salaries, they ought to leave entirely out of the question the incidental expenses to which office was more or less liable. He dissented entirely from this doctrine. In his opinion, if an office were of such a nature as to compel the individual holding it to incur expense which he otherwise would not incur, that circumstance ought to be taken into consideration. He knew that in settling a question of this kind, it was difficult to say whether the salary would or would not be sufficient, if 400*l.* or 500*l.* were subtracted from it. But it appeared to him, that the plain question was, whether they could, at the salaries proposed, have a sufficient choice of persons capable of performing the duties of office satisfactorily to the public? It had been said that this office should be filled by a statesman of the first class. That he admitted. But then it was argued, that he should not be suddenly removed from office, This was an inconsistency; for it was quite clear that an individual, coming in with a particular Administration, could not remain in office when that Administration went out and gave place to men of different principles. The labour attached to the office he allowed to be very great, but if they could, for 3,500*l.* a year, obtain in that office the services of an individual of first rate talent, he contended that they would not be justified in not agreeing to avail themselves of that talent. He should, therefore, support the recommendation of the Committee.

Sir *Charles Forbes* was of opinion, that the salary proposed, even taking into consideration the trifling patronage attached to the situation, was inadequate, when they looked to the duties to be performed in comparison with other great offices in the State. In his opinion, the affairs of India were too much neglected in that House; and he wished that the good old custom should again be resorted to, of having an annual Indian budget brought before them. Economy in India had been spoken of. The Company had begun there at the wrong end. They were screwing down the poor civil and military officers in order to enable their revenues to meet the enormous debts which some Governors-general had contracted. The European and the native army were both disgusted at the petty reductions that had been made.

Mr. *Sanford* supported the recommendation of the Committee, which he believed was fully justified by the most careful consideration of the circumstances.

Sir *John Newport* said, that the system of paying large salaries might be carried too far, if salaries were more than were fairly required for the labour to be performed. Now the Committee, after careful consideration, had recommended a reduced salary with respect to this office; and in proof of the principle he had before mentioned, he would only observe, that the last annual accounts, or what he might call the last annual budget, with respect to the government of India, had been laid before that House in 1807, by the present Earl of Carlisle, at that time Lord Morpeth, who then received the inferior salary. Since that time there had been no such accounts, so that the course of conduct of those who had received the superior salary did not show that an increase of salary, beyond the necessary amount, created an increased amount of exertion. He did not think that high offices should be sought merely for profit, or that politics should be adopted as a profession, and followed for the profit they could produce. He himself had been twenty-eight years in that House without having any such object. If, during that period, he had followed the profession of which he was an unworthy member, he should probably have been much richer than he now was; certainly, he could hardly have been poorer.

Mr. *Stuart Wortley* in reply, said, that he should not think of dividing the House, but he was satisfied that he had only done his duty in bringing the subject under its consideration.

The Resolutions negatived without a division.

GRAND JURY LAWS (IRELAND).] Mr. *Stanley* rose to call the consideration of the House to this subject, with a view to a speedy settlement of a question which had already engrossed much time and attention. He did not intend to do more in the present Session, than merely to submit to the House the nature of the measure he at present felt disposed to introduce with regard to Grand Juries, and Grand Jury Presentments in Ireland. He had not distinctly and positively determined upon the provisions of the measure he should introduce, because as yet he did not feel fully informed upon all the details of this important subject. He was speaking on a matter with which he was not practically acquainted, but he spoke in the presence of those who were acquainted with it, and should most probably receive the benefit of their better information. In what he now proposed to do, he followed the principles which common sense seemed to indicate, which appeared to be fully borne out by the evidence that had been taken on this subject, but he feared it would be found impossible for him at present to do adequate justice to this important question. The constitution of Grand Juries, their powers, and the presentments they made, had, year after year, been the subject of complaint in that House, yet no measure for remedying the defects of the system had been laid on its Table. The matter had been the subject of discussion so long ago as the time when the right hon. member for Tamworth held the situation which he (Mr. Stanley) had now the honour to fill. The right hon. Baronet had himself stated that fact. There had been Committees appointed to investigate the subject in the years 1815, 1816, 1822, and 1825, and the latter of these had directed the attention of the Government to the Grand Jury laws, and to the fact, that though complaints of them had long existed, no remedy had been proposed, but that the defects had been allowed to continue unaltered, which the Committee recommended they should no longer be permitted to do. Even after that report and that recommendation, nothing had been done in the matter. The consequence of the Grand Jury presentments under the present system was, a large augmentation of the taxation of the counties of Ireland; but then, in answer to that objection, it was urged, that the produce of this taxation was expended in the internal improvement of the country. If that was the fact, it would at first sight seem an advantage. The internal improvement of a country might be, under some circumstances, an evidence of the increased prosperity of the country—of its power to bear an increased pressure; but, under other circumstances, it might be an evidence of no such thing; or, at least, the advantage of the internal improvement might not compensate for the increased pressure at the cost of which it was obtained. He feared that in this instance the latter was the case with Ireland. Still, however, all the expenditure that was complained of, could not fairly be laid to the charge of the Grand Jury. From 750,000*l.* expended in this manner, there was to be deducted a sum of 360,000*l.*, over which the Grand Jury had no control. He ought here to observe, for the information of those who were not acquainted with the internal affairs of Ireland, that the Grand Juries of that country could not be compared with the bodies that were known by the same name in this country. The composition of the two, and the rules that governed them, together with the power they had to exercise, and the duties they were called on to perform, were quite different. The disposal of the criminal charges in their country was but a small part of the business of an Irish Grand Jury; they had a considerable share in the regulation and control of the whole of the internal business of the county. They regulated its civil concerns fully as much, if not more, than they decided upon its criminal business; they determined upon what public works were to be performed; what was the price to be paid for them; and they taxed the public for that payment; but they did not pay the burthen which they thus imposed on the county. The works that were to be performed—the payment that was to be made in respect of those works—the prices at which the labour and materials were to be furnished, were all determined upon by the Grand Jury, and determined on by them in secret, and without the check of responsibility, and all the varied and multiplied labours that fell to the lot of a Grand Jury, were performed within the short space of three or four days only. Under such a system it was impossible that the duty should be performed with satisfaction to the country; it was next to impossible that it should escape from suspicion—unjust suspicion, perhaps, in some cases, but still suspicion in all; and it was absolutely impossible that the country should believe all these duties were well, even if they were honestly performed. As a proof of the sort of business performed by the Grand Jury, he should refer to the returns from six counties, which he had taken indiscriminately, and in which it appeared, that in the course of one year the average number of indictments and presentments disposed of by the Grand Jury in these counties amounted to 5,369. The average number of days during which the Grand Jury sat was three or four, so that the average number of presentments and indictments disposed of by each Grand Jury amounted to 244 in that short space of time. He would ask, whether any man could believe it possible that 244 subjects, many of them of the deepest interest, and all requiring careful examination, could be properly disposed of within the short space of four days? The fact was, that the system was one that depended entirely on the credit which one Grand Juryman gave to the representations of another. One Grand Juryman from one part of the county said that a certain thing was necessary to be done; then another, from a different part, said that something else was required in his district. They said to each other, "give me credit for what I say, and I will give you credit for what you say." Each did give the other credit; and in that manner the complicated business of the county was despatched. This system of combination was carried on without any dishonest intentions on the part of the Grand Juries, and was the necessary consequence of the amount of business they had to perform, and the short space of time in which they were assembled for that purpose. In consequence of the same causes, the Grand Juries had subdivided themselves into so many distinct divisions—each for a separate part of the county they were all met to regulate. Two gentlemen, perhaps, came from one barony, and all the business of that barony was left in their hands; one gentleman came from another, and its affairs were in like manner intrusted solely to his management. The great body took the representations of each particular individual for true, because they had neither leisure nor the means of information to form a judgment on them; and in the end, the system of Grand Jury presentments amounted to nothing more nor less than a mode of carrying into effect, at the public expense, improvements suggested by private and individual interest. The Grand Jury fixed the work that was to be done, the workmen that were to be employed upon it, the price that was to be paid; and then he wished to know, what were the motives that would make them sparing in the application of the public money? First, who were the persons of whom the Grand Jury was formed? They were generally selected from the landed proprietors of the county, but the absence of the landed proprietors was often supplied by their agents, who represented the absentees, and by inferior persons, who sometimes were necessarily called in to complete the required number. The taxes imposed by the Grand Jury were not paid by these persons, but by the occupying tenants of the land. It might, he knew, be said, that though paid in the first instance by the occupying tenants, the expense ultimately came on the landlords, in the shape of diminished rent; but that did not always happen. When a tenant held a lease for twenty-one years, every annual augmentation of the burthens of the county fell upon the occupying tenant, and was never reimbursed by the landlord. He repeated, that these evils must be expected under such a system as this, where the Grand Jury had neither time nor information to guide them, but where, even if they had both, there was not that check upon them which the receiving of evidence on these matters publicly would afford. In consequence of this, there was a general opinion abroad that a system of favouritism prevailed in the choice of the persons selected to perform the work thus resolved on by the Grand Jury. The works, too, were often done in a slovenly manner—the accounts of the expenses were lax—there was no check on the expenditure—the works were often undertaken, not for public advantage, but in many cases for private benefit alone. As a proof of this, he would mention a case that had occurred in the county of Mayo [*hear, hear*]; he meant nothing with reference to the hon. member for Mayo, who was crying "hear, hear," behind him. He took it from the evidence. "I know," said the witness, "one case where work was done under the pretence of making a bridge, which could be of no public convenience where it was placed; it was intended to be made an embankment; when the work was completed it was ready to fall, and scarcely had the account of the money expended in its construction been furnished before it did fall." The House would most probably ask, how a bridge could be converted into an embankment?—the answer was easy and simple; "by stopping up the arch, so as to prevent the sea from flowing throught it, and then by suffering the sea to pass along by it to another level." To be sure, if a work could be made to answer the purposes of both bridge and embankment by one expense, it would be a piece of economy; but it had not that merit, for there was no road leading to it on either side. The witness, in his account of the matter, added—"There was no road intended to be made, and I imagine there was no use for a road there, as there was a bridge within a quarter of a mile of the place." It was to be hoped that such instances as these were rare [*hear, hear*]. He did not know the meaning of that cheer—did the hon. Member behind him mean to deny the truth of the statement?

Mr. *Dominick Browne:* Oh! I approve it entirely.

Mr. *Stanley* said, that was more than he did—for he disapproved of it.

Mr. *Dominick Browne:* I mean, I approve of what the right hon. Gentleman says—I disapprove of the system.

Mr. *Stanley* continued: The Special Session might be some check to these abuses, but that the Grand Jury afterwards possessed the power of reversing the decisions of the Special Sessions. To remedy these evils, he proposed to introduce a measure which, he acknowledged, was not now fully matured, but which would present something tangible as a cure for these abuses. He should introduce the Bill, and get it printed, with the view of getting information on the subject. In the first place, his Bill would repeal and consolidate from sixty-five to seventy Acts of Parliament, and would become a sort of manual for Grand Juries, containing a complete summary of their duties, and a guidance for them in the civil business of their county. In the first instance, he proposed to separate the civil from the criminal business in the hands of the Grand Jury. One arrangement which he had to propose was, that all public works, before they went to the Grand Jury, should be presented to the Magistrates in Sessions, and that they should be allowed a negative on the subject; and he also proposed to take away from Grand Juries the power of passing presentments which any Special Session should have declared to be unnecessary. It was also to be enacted, that the whole of the Special Session presentments was to be sent to the Secretary of the Grand Juries, who was to give notice of the amount of business to the High Sheriff, and who, upon that notice, would have to fix a day (not less than three days, and not more than ten, after) on which the business was to commence. With respect to the qualification for a Grand Juror, he had not made up his mind as to that; and he should, therefore, propose no further qualification than that nominal one which existed already. He also proposed that it should be mandatory on the High Sheriff to select persons from each barony to serve on the Grand Juries; and that, of the twenty-three Grand Jurors first named, there should be one at least from each barony and half-barony. Another of his propositions was, that in every county there should be appointed one or more Surveyors, to be examined by an unpaid Board, and to be attached to the different counties, and removeable on a complaint from the Grand Jury. These appointments he proposed should be invested in the Lord Lieutenant; and he did so, because, as there would be great responsibility attached to the office, he thought it better that they should emanate from that high authority than from the local Grand Juries. Another of his proposals was, that the Grand Jury, having been summoned and sworn for the despatch of civil business, should sit in open Court, and that the evidence before them should also be given in public; though, should they consider deliberation to be necessary, there could be no harm in their retiring for that purpose into a private room, and subsequently giving their decision again in open Court. With respect to the public works, he proposed that they should all be executed by contract—that special tenders should be given in, and that, unless there was some serious objection, the lowest tender should be accepted, the contractors being compelled to pay by money payments all those whom they might employ under such tenders. He likewise proposed to do away with the office of Supervisor, as well as that of the Overseer of Roads, and to invest the whole of their power in the contractors, with a controlling influence over them in the Surveyors. He also proposed to abolish the mode of accounting by affidavit. It had been suggested that the Grand Jury ought to be an elected body, in order that those who imposed the taxes might be chosen by those who had to pay the taxes; but he thought that, as there would be payments to be made in the neighbourhood where the Grand Juries were, the making of them an elected body would lead to jobbing; and that the only fair way of making the tax-imposers tax-payers would be, to provide that the county cess should be charged in all future leases, not on the occupying tenant, but on the landlord who was in possession of the property. To this general arrangement, however, he proposed the exception, that in the event of the country being in a state of disturbance, certain charges should be payable by the tenant, and he did this for the purpose of impressing on their minds that it was their interest to endeavour to put down disturbance. With regard to the presentments for the repair and making of new roads, it was but fair, upon the same principle, that those who derived the benefit should bear the expense. He proposed, therefore, to fix upon the landlord, and not upon the tenant, the payment of all charges for the repair and making of roads. He had then gone through the principal points of the Bill which he proposed to introduce. He was aware that he had done so very imperfectly and inadequately. He was aware that much of what he had laid down might be open to improvement; at the same time, however, it would be a very considerable improvement if, for a system of secrecy, a system of publicity were substituted—if, for a system founded upon party prejudice and individual interest one were introduced calculated to work equally for the good of all—if a system of favouritism were superseded by one of impartiality—if, for a system of affidavit, one of verbal testimony publicly given in an open Court, came into practice, and, finally, if for the system which exempted the Grand Jury from the taxes they laid on others, the House established a system which would make those who imposed the taxes, and benefitted by them, pay them from their own pockets. Whatever might be the fate of the measure, or into whosoever hands it might hereafter fall, it would at least be satisfactory to him, that he had been so far more favoured than his predecessors, that he had been allowed to lay upon the Table of the House a measure which he believed, would greatly amend and improve the system of Grand Juries in Ireland. He had introduced the subject with the deepest sense of its importance, and of his own incompetence and inadequacy properly to discharge the task which his official situation imposed upon him, and he had only to move for leave to bring in a Bill to amend the Grand Jury-laws of Ireland.

Mr. *Wyse* concurred in the opinion of the right hon. Secretary as to the necessity of an alteration of the present system; but he could not help differing from him as to some of the means by which he hoped to effect that improvement. As to the regulation of having all the business transacted in open Court—when he considered that even in that House, open as it was to the control of the Press, and subject to the inspection of the public, enormous abuses had formerly existed in the management of the public money, he feared that they must look to some other cause than the mere want of publicity to account for the evil. With all the precautions proposed by the right hon. Gentleman, the grand evil would remain. Why was one part of a county assessed and another not? Why were the Grand Jury selected from one district, and not from another? No effectual amendment could be achieved until they applied to the Grand Jury system, the same reform which they were now adopting in the legislative body, and gave to every person paying taxes a voice in the election of those who were to impose them. Not that he would have the Grand Jury, as a judicial body, elected. There was then no other alternative than to separate the judicial from the financial functions of the Grand Jury. He should be glad to see in each county a County Board, distinct from the Grand Jury, with full powers to administer the financial affairs of the county. This plan was adopted with the most beneficial effects in other countries, and particularly in the Netherlands. The people of Ireland were bent upon one object—namely, justice, and they could not conceive that that could be obtained if the control of the public money were given to an oligarchy, however abuses might be checked or controlled. The right hon. Gentleman would do some good, and he thanked him for it; but the right hon. Gentleman was mistaken if he imagined that this Bill would satisfy the people of Ireland.

Mr. *Hunt* expressed his opinion, that this plan, brought forward after nine months' preparation, instead of getting rid of the Grand Jury system, which no one had described in such hard terms as the right hon. Secretary himself, was only after all an alteration, an amelioration they might call it if they pleased, but in fact it was nothing more or less than a bad system made easy. He very much doubted whether the plan would give satisfaction to the Irish public.

Sir *John Milley Doyle* thought it impossible for human ingenuity to devise any system so ruinous to morals as the present Grand Jury system of Ireland. He should be glad if the plan of his right hon. friend had gone further than it did. He should vote for this measure, because he thought that any change must be for the better. The present was not the fit time to discuss the details, but he should be prepared to offer some remarks upon them at the proper opportunity.

Sir *Robert Bateson* congratulated the country upon having at last some remedy proposed for the abuses which all parties admitted to exist. He should be ready to give any assistance in his power to forward so desirable an object. He thought it better to endeavour to improve the system, if possible, than at once to abolish it, and adopt a mere visionary scheme, the advantages of which existed only in the imagination of Gentlemen. He thought the right hon. Secretary had rather overcharged the picture he had drawn; at least, on the Grand Juries which he had attended, there were precautions taken to prevent fraud, with which the right hon. Secretary appeared quite unacquainted. He was willing to give the Bill a fair discussion, and should support those parts of it which he approved of. He was pleased that the Government had taken up the subject; and though he did not expect the proposed Bill would remove all the evils arising out of the present system, he was glad to see a beginning made, and he doubted not but it would lead to other measures advantageous to Ireland. Much had hitherto been promised, but very little performed for that country.

Mr. *Henry Grattan* joined with other Gentlemen from Ireland in returning his thanks to the right hon. Secretary for this Bill. He considered that it was high time some alteration for the better took place, as it was admitted that great abuses had existed, and were known to exist, for the last thirty years. He, however, thought that the right hon. Secretary had somewhat over-garnished his statement, and it was not by crying down all parts of a system which had been adopted for a century that the new Bill was to produce every remedy. He approved of that part of the proposed Bill, which assessed the landlord instead of the tenant. He had brought in a Bill for this express purpose three years ago, but it had been rejected. This alteration would, in his opinion, remove a portion of the evils; but he certainly disapproved of any contemplated plan of electing the Jurors. The right hon. Gentleman was only making an alteration in this system; for the Grand Jurors were also Magistrates, and they would, under the Bill of the right hon. Gentleman, do that as Magistrates which they now did as Grand Jurors. He admitted that it would be a great improvement if the civil and criminal duties of Jurors were made distinct from each other. He also considered that the charge of jobbing was not to be laid to the individuals who had to perform the duties of Jurors, but to the system existing in this country. The great instrument of taxation was that House, which, by one of its bills—that to establish the police—laid a heavier tax on the counties of Ireland than was laid on by all the Grand Juries of Ireland for a series of years. The Bill would certainly tend to correct many notorious abuses, but it was not precisely the system he wished to see adopted.

Mr. *Leader* said, the present Grand Jury system was only calculated to support hereditary patronage. Many individuals, it was well known, would never have attended the Assizes but for this circumstance. He agreed with the hon. Member who spoke last in wishing to see the fiscal separated from the criminal duties. Many great abuses undoubtedly had existed, and he felt happy in seeing that Government had taken up the subject, and they were likely to be abolished. He wished to see a set of Commissioners appointed to look after the roads, and he wished the people to have a voice in the election of those who disposed of their property, but he was afraid it would be a long time before such improvements were extended to Ireland.

Mr. *Blackney* was also aware of the great abuses existing, but doubted the efficacy of the present Bill to remove them.

Mr. *Ruthven* wished to understand, in the alterations that were proposed in the Grand Jury system, what arrangements were to be made with regard to the parliamentary business of the Assizes. As to the appointment of County Surveyors, he hoped the expense of that office, although he believed it was necessary, was not to be paid by the counties: he very much regretted that any circumstance should have induced the Government to postpone the consideration of this important subject to so late a period, and then not be prepared with a complete measure.

Mr. *Sheil* did not altogether understand how the money was to be advanced, and the estimates made. Were the Commissioners to determine as to what was necessary for the completion of the works, without the power of intervention on the part of the Grand Jury?

Mr. *Crampton* said, an arrangement of that sort was the only security they could have, that the public money should not be thrown away on useless undertakings. It was absurd to begin works without the means of completing them. It was positively necessary that the Grand Jury should be compelled to complete works which they had induced the Commissioners to commence.

Mr. *Stanley* said, this regulation was in force before, and merely authorized the Commissioners to come upon the Grand Juries.

Leave given to bring in the Bill.

HOUSE OF LORDS,

Friday, September 30, 1831.

MINUTES.] Bills. Brought up from the Commons and read a first time, the Public Works (Ireland.) The Common Law Officers, and the Charity Commissioners. Read a second time; the Galway Franchise; Lunatics Commissions.

Petitions presented. By Lord PLUNKETT, from the Magistrates and Protestant Freemen residing in Galway, for an extension of the Elective Franchise to Catholics, and by the Duke of BUCKINGHAM, from the Protestant Freemen of Rahoon and Bottermore, with the same prayer. By Lord ROLLE, from Freemen of Exeter, praying that their sons might not be deprived of the right of voting. By Viscount MELBOURNE, from the Clergy and Inhabitants of Runcorn, against the Beer Bill. In favour of Reform, by the Duke of SUSSEX, from Ludlow, Salop, from the Town of Ross, Hereford, from the Wards of Cripplegate Within and Cripplegate Without, from Boston, Lincolnshire, signed by 900 persons; from the Ward of Vintry, from the Inhabitants of Bridgewater, the Inhabitants of Banbury, in Oxfordshire, signed by 1,580 persons from Epworth and other places:—By Viscount MELBOURNE, from Shepton Mallet, Dartford, Melton Mowbray, and Newburgh:—By a NOBLE LORD from a place in Somersetshire, from Dumfries, Scotland, and from the City of Lichfield, signed by 400 persons:—By Lord STUART DE ROTHSAY, from Dundee; from six Incorporated Trades of Brechin; from Forfar, Montrose;

the Weavers and Glovers of Forfar; the Hammermen of Arbroath; from Kilsythe, and other places:—By Earl MANVERS, from the opulent Parish of Marylebone:—By the Duke of RICHMOND, from the Village of Tarlington, in the County of Ayr, signed by 348 persons: from Woolwich, signed by the Chairman on behalf of the Meeting; from Wellingborough, in the County of Northampton; from Stockwith, in the County of Lincoln; and (in the absence of the Earl of POMFRET), from Northampton, signed by 1,500 persons; by Lord POLTIMORE, from Biddeford, Devon.

REFORM PETITIONS.] The Earl of *Morley* presented a Petition from the Inhabitants of the borough of Plymouth, in favour of the great measure of Reform now depending in their Lordships' House. A petition had before been presented from the same borough, in favour of the Reform Bill in the earlier stages of its progress; and now that the Bill had come into their Lordships' House, the inhabitants of Plymouth had thought it incumbent upon them again most earnestly to petition their Lordships to pass the Bill; and to show that the feeling in favour of the Bill had not abated, but had even grown more intense, he had to state, that the present Petition was signed by three times as many persons as had signed the former petition. The petitioners stated their conviction, that on the passing of this Bill depended in a great measure the peace and prosperity of the country—that the excitement and agitation would never cease until an efficient measure of Reform had passed—and that it was then only that the people of this country would return to their ordinary habits of industry. Even the noble Lords on the other side of the House, with the exception of two or three persons, admitted that some Reform was necessary. But the people would not be satisfied without a real and efficient Reform, and therefore those who approved of Reform ought to vote for the present measure.

The Duke of *Sussex* said, he had been intrusted with a petition from the county of Middlesex, in favour of the great measure of Reform now depending in their Lordships' House, for the purpose of being presented to their Lordships. The petition had been agreed to at a county meeting, where the Sheriff presided, and the petition was signed by the Sheriff on behalf of the freeholders. In point of form he could only present it as the petition of the individual by whom it was signed, and he only presented it as such; but, at the same time, he must state the fact, that the petition expressed the opinion of a most numerous and respectable meeting of the county; among them was only one feeling in regard to this great and important measure. The petition was worded in the most moderate and conciliatory terms, praying their Lordships to pass the Bill. He did not mean at this time to enter upon any discussion of the merits of the question, as he did not think it regular or convenient to make the presentation of petitions pegs to hang speeches upon. He would say nothing to irritate the noble Lords on the other side, as his sole object was that the Bill should pass.

Petition laid on the Table.

The Earl of *Camperdown* stated, that he had to present to their Lordships several petitions from Scotland in favour of the great measure of Reform. The defects of the system of Representation in Scotland had been so well exposed by his noble and learned friend on the Woolsack, that it was unnecessary for him to say a word on that head, although even his noble and learned friend's exposure did not fully exhibit the exceeding badness of the system. It was with great satisfaction that he had heard from a noble Lord (Lord Wharncliffe), who had considerable property and influence in Scotland, that the Scotch system of Representation required Reform, and that Reform was really called for by the people; but a relation of that noble Lord, who represented the city of Edinburgh, had said in another place, that the people of Scotland did not want Reform. The people of Scotland had, however, shown, in a manner not to be mistaken, that they did want Reform, and were ardently desirous to obtain it. There was one point to which he was particularly anxious to call their Lordships' attention. It had been attempted to make a distinction between Reform in England and Reform in Scotland. But that was not the notion of the people of Scotland, for they knew that unless the Reform measure for England succeeded, there would be no real Reform for them, but only the shadow without the substance—a mere empty sound—a *vox et preterea nihil.* It had also been asserted that their zeal for Reform had abated. He did not believe that it had abated even in England, but of that he would not presume to speak decisively, when there were so many noble Lords present who could better speak to that point. But he would undertake most assuredly to say, that the zeal of the people of Scotland in favour of Reform had not abated. On the contrary, the feeling had become more intense than ever, and a disappointment now would be more grievously and bitterly felt than it would have been when the measure was at first proposed. Every letter and every petition from Scotland fully confirmed this statement. He had now a petition to present from the town of Dundee, which comprised a population of 45,000 persons, and this petition had, in the course of five days, been signed by 8,000 of the inhabitants; and he requested any of their Lordships who might be acquainted with that place, to look into the petition, and to convince themselves that the signatures included the names of the persons of greatest property and respectability in the town. The people of Scotland had a deep interest in these measures, and their Lordships, also, had a deep interest in them; for if their Lordships rejected them, there would be but one fatal feeling among the great mass of the population of the empire with respect to their Lordships' House; whereas, if they passed them, their privileges would be placed on the firm and sure basis of the nation's gratitude. His Lordship concluded by presenting petitions in favour of the Reform Bill from Dundee, Haddington, Dunbar, Inverkeithing, and another place in Fife; from Musselburgh, from the Guildry of Dundee, and from the incorporated Trades, Cordwainers, Tailors, Hammermen, and Maltmen of Dundee; from a place in Forfarshire, from Arbroath, Montrose, Auchterarder, Strathmiglio, and Lochee.

The Marquis of *Cleveland* had petitions in favour of the great measure of Reform to be presented to their Lordships, from Sunderland, and some other places in the county of Durham. The petitioners had but a very short time for signing these petitions—only the few days since the Bill had come into this House; but, notwithstanding the shortness of the time, the petitions had been very numerously and respectably signed. The noble Marquis at the Table (the Marquis of Londonderry) had expressed some doubt as to the feeling in favour of the Reform Bill being so general in the county of Durham as it had, by many, been supposed to be. A petition in favour of the Bill had been agreed to at a meeting of the county of Durham on a former occasion, and presented to this House by a noble friend of his, who was now absent from indisposition. He himself was not present at that meeting, but he certainly thought that it had correctly expressed the opinion of the county. But he was now convinced that the opinion of the county of Durham, in favour of the great measure of Reform, was nearly as universal and unanimous as it was possible for the opinion of a considerable county to be on any subject. He had resided for the greater part of his life in the county of Durham, and had for a long time held his Majesty's Commission there as Lord-lieutenant. He had some property in the county, and was very generally acquainted with the most respectable part of the population, and he was convinced that the general feeling was in favour of the great measure of Reform. The first petition from Sunderland was signed by 4,068 persons; the present petition was signed by 6,725 persons—a tolerable proof that the feeling in favour of Reform had not abated at that place, but had, on the contrary, become more intense. The noble Marquis had a large property in that county, and, under these circumstances, it might reasonably be expected that he would vote with him (the Marquis of Cleveland) and the other noble Lords on his side of the House. There was in the county of Durham a great deal of Church property, and he thought it justly due to the body of the Clergy there to say, that they had taken no part in this political question. Some individual clergymen had, indeed, attended meetings, and joined with other gentlemen of the county in promoting petitions for Reform. But the conduct of the Clergy in general had been such as he had stated it to be. The city of Durham had agreed to a petition in favour of Reform, which was to be presented by a noble friend of his. There were certainly some apprehensions entertained out of doors that the Reform Bill would not be favourably received in their Lordships' House; but he hoped that these apprehensions were unfounded. Indeed, it would be better for their Lordships to pass the Bill now, for if they rejected the Bill at present, it would be brought in again, and must be passed, for the matter would certainly not rest there. His Lordship presented petitions in favour of Reform from Sunderland, and Bishop's Wearmouth, from Darlington, Banbury Castle, and Gateshead. The Gateshead petition prayed their Lordships to pass a measure which would restore the Constitution, which was now reduced to a shadow, to ancient and proper vigour and power, and render it the bulwark of the prerogatives of the Throne, of the dignity and the just privileges of the Peers, and the liberties of the People.

The Marquis of *Londonderry* wished to say a word or two in answer to the observations which the noble Marquis had directed to him. He knew that the means of information of the noble Marquis were extremely good; but he and the noble Marquis resided in different parts of the county, and he might be right with regard to the feeling of his part of the county, while the noble Marquis might be right with regard to the feeling of the other part of the county. He must be allowed still to retain the opinion, that the feeling of the county of Durham, in favour of Reform, was not greater than he had formerly admitted it to be. Gateshead and Sunderland, it must be recollected, were to receive the elective franchise under the Bill, and it was no wonder, therefore, that they should be in favour of it. In Darlington the noble Marquis had considerable influence. He thought that the late election for the city of Durham justified him in saying, that the feeling of the county in favour of Reform was not so universal as the noble Marquis supposed it to be. As to the vote he should give on this question, he could assure the noble Marquis, that that vote would not be given without the most anxious consideration, and that he should be directed in it by no other bias than a wish to do his duty.

The Marquis of *Cleveland* said, that he knew that a noble friend of his had a petition to present from the city of Durham, in favour of the Bill. There was also that day a county meeting to be held, and he had no doubt that on Monday next he should have to present a petition in favour of the Bill from the county of Durham.

The Petition laid on the Table.

The Duke of *Buckingham* wished to call their Lordships' attention to the vast number of petitions which were to be presented to the House on the subject of Parliamentary Reform. He doubted very much whether there would be time for their presentation, consistently with so speedily disposing of the Reform Bill as must be the general wish of noble Lords. Probably, then, it would be thought not inexpedient to sit on Saturday, for the purpose of receiving petitions. He was sure that great and most inconvenient delay must ensue, unless some arrangement were adopted.

The *Lord Chancellor* fully agreed with the noble Duke, that much inconvenience must be the consequence of their not coming to some understanding respecting petitions. At the same time, it would be impossible for them to sit on Saturday, as that day would be absolutely necessary for the purpose of completing the ventilation of the House. He had himself many petitions to present, and, so far as the number of signatures and the respectability of the parties signing them gave value to a petition, those with which he had the honour to be intrusted must be considered as possessing the very highest value; but, nevertheless, in opening them to the House, he was resolved to do so very shortly, and, so far as his humble example could go, to promote the saving of time upon so urgent and important an occasion. The fact was, that as the petitions intrusted to him came from persons of landed property —from persons possessed of corporate rights, and also from persons of great wealth and intelligence, he should in ordinary times make it his business to address the House at some length upon each individual petition; but were he to attempt to do so in the present instance, his strength would, he was sure, prove utterly inadequate to the undertaking; neither would the time of their Lordships suffice, even if they sat till twelve o'clock at night. He should therefore proceed at once to lay before the House some of the petitions which had been forwarded to him. The first was from the great town of Leeds. The former petition from that town, on the same subject, received in seven days the prodigious number of 17,000 signatures; but the present petition, in two days, was signed by no less than 21,400. The next was from Kingston-upon-Hull, signed by 6,277. The noble Lord then proceeded with petitions from St. Saviour's (Southwark), Whitchurch (Salop), Bideford, Dumfries (signed by 1,000), Kinghorn, Cockermouth, East Wemyss (though a village, the petition was signed by 347 persons), Falmouth, Keswick, Kettle, Irving, Totness, Kidderminster (signed by 1,572), Scarborough (900 signatures), Richmond (Yorkshire), a place, he observed, which, though not extensive or populous, was wealthy and respectable—it had 800 signatures; Dalkeith, with

1,755 signatures; Balfour, Andover, Lonsdale, Hythe (Kent), Taunton, St. Mary Newington, the parish of Paddington (900 names), Portsmouth (with 3,400), the parish of Lambeth, with 2,600, and several other places. The noble Lord then proceeded to state, that he had a different class of petitions to present—petitions by no means so bulky, nor bearing so many signatures—they proceeded from corporate bodies having charters; and the petitions bearing the seal of the Corporation were to be received as the petition of the Corporation. The first of these was from the Corporation of Goldsmiths of Edinburgh; from the Chamber of Commerce, Edinburgh—a body long distinguished for loyalty. Then followed petitions from the Corporations of Perth, Cupar, Dumfermline; the Corporation of St. Mary, Edinburgh; the Ciceronian Society of Liverpool. He observed that some noble Lords smiled at the mention of that name, but he could assure them, from his local knowledge, that societies of that nature had in Liverpool been productive of much advantage—had diffused knowledge, and cultivated a taste for literature and science, and, what was more, had produced much improvement in the art of public speaking. Liverpool could not only number amongst its inhabitants men of considerable literary eminence, but several who had very successfully cultivated the art of public speaking. The noble Lord then proceeded with petitions from the nine incorporated trades of Leith, and from the parish of St. James, Clerkenwell. This petition was certainly signed but by the Churchwarden; it nevertheless proceeded from a very respectable meeting, and he regretted that it could only be received as the petition of the individual by whom it was signed. He had now laid before their Lordships eighty petitions, and he need scarcely say, that if he had opened them at length, the operation would have taken up too much time. He trusted that their Lordships would not allow any thing to delay their proceeding with the Bill itself; at the same time he could not but feel it was of the very highest importance that the petitions of the people should be received with due attention; therefore he should suggest the expediency of meeting on Monday at an earlier hour than usual. It might, perhaps, be found convenient to apply themselves solely to that part of the business during the earlier part of the day.

The Petitions to lie on the Table.

Lord *Holland*, in rising to present several petitions to the same effect, said, that he should follow the example set him by his noble and learned friend, and occupy as little as possible of their Lordships' time in laying before them the petitions with which he had been intrusted. In looking at these petitions, he confessed it did give him great satisfaction to see such a feeling as that which had been manifested by the people of England; but he thought their Lordships would best respond to that sentiment by proceeding, with as little delay as possible, in the great duty which they had to perform. There was another circumstance which, he confessed, he looked upon with great satisfaction, namely, that whereas on the former occasions many of the petitions demanded Vote by Ballot and Annual Parliaments, there was now not one of them which went beyond the Bill which stood for a second reading on Monday next. Again, it was to be observed, that formerly, though many of the petitions were most numerously signed in a short space of time, yet now the case was still stronger, for there were many petitions signed in a much shorter space of time, and by a much greater number of persons. The first petition which he should have to present was from a corporate body, and one with which he had the honour to be connected—it was from the Corporation of Nottingham, a body whose attachment to the House of Brunswick, and the Constitution of 1688, had been frequently proved. Not only had he petitions in favour of the Bill from that, but from other Corporations—petitions in favour of a Bill which went to circumscribe their own privileges. It would thus be seen how far the Corporations themselves looked upon that as Corporation robbery which had been falsely so designated. The town whence the present petition proceeded contained a population distinguished for industry and intelligence. The petition was signed by 13,000 persons in the short space of three days. It had been said that it was easy to obtain petitions numerously signed from populous districts, where the people expected they would derive advantage from the proposed change; but that was an objection to which the petition from Nottingham was not open, for the people of that place were already represented in Parliament, and the Bill would diminish the privileges of many of those by whom the petition was signed; they considered that the most wholesome practice would be, to have the Commons House of Parliament elected by the Commons of England, even though they themselves might be sufferers by the result. Thus the House would see that there was not the slightest abatement of the zeal and anxiety felt on the subject of Parliamentary Reform. The noble Lord, in addition to the petition from Nottingham, presented others from the inhabitants of Darlington, Ludlow, Great Torrington, Ward of Vintry (city of London), Boston, Pelton, Sunderland, Bishop and Monk Wearmouth, and Melton Mowbray.

The Duke of *Buckingham* said, that what had fallen from the noble Lord only proved the necessity which there was for their coming to some arrangement on the subject of presenting petitions. It was really impossible for noble Lords to present petitions without stating whence they came, the numbers by whom they were signed, the respectability of the petitioners, the circumstances attending their adoption, and those under which they might have been placed in the hands of the Peer presenting them. He need not say that that must lead to a protracting of the debates on the Reform Bill, to a degree scarcely consistent with the dignity of the Parliament, or the peace of the country. He thought it would be very convenient if the House would agree to meet at four, and take petitions from four o'clock till six, and determine that after six they would not receive any petitions. It was evident that, unless they adopted some arrangement, they could not get on.

The *Lord Chancellor* agreed with the noble Duke, that they must fall on some expedient to advance the Bill, and he thought the suggestion just made was very judicious. It had been proposed that they should meet as early as two o'clock, or three; but he feared that at that hour they could not reckon upon a sufficiently full attendance of Peers, at least, such an attendance as would or ought to satisfy the petitioners. They might, following the example of the other House of Parliament, set apart particular days for receiving petitions: but he always doubted the expediency of that proceeding; perhaps the other House might make more free with its constituents than that House could with the people, having no constituents. In this matter he certainly thought the example of the other House was rather to be avoided than followed. For the present, he thought the best arrangement would be, to meet on Monday, at four o'clock, and agree to stop taking the petitions at six. He hoped that in presenting petitions, their Lordships would feel there was no absolute necessity for explaining each individual petition at much length.

Lord *Holland* had no objection to the proposed arrangement; but there was no day of its sitting when the walls of Parliament ought to be closed against the petitions of the people.

The Duke of *Hamilton* presented petitions in favour of the Reform Bill, from Linlithgow, Dumbarton, Lanark, and New Lanark, and from other places in Scotland. The noble Duke said, that he had also another petition to present, to the same effect, from Lancaster, upon which he must trouble their Lordships with a few observations. The petitioners were of opinion that this measure would not only secure to them personal and particular advantages, but that it would be found generally beneficial to the interests of England. That he united in opinion with the petitioners, he stated without hesitation; but he would not now enter into any arguments on the question; the present was not the time. But he could not conclude without expressing a hope, that a measure of such importance, which embraced subjects of very deep interest, might be considered in the most calm and dispassionate manner. Their Lordships, he was sure, would not be intimidated with respect to any proceeding they might think proper to adopt. He had no doubt that they would do what they conceived to be their duty, and exercise their powers with due caution and discretion. Anxious to maintain and support the honour and dignity which had ever been established in that House, their Lordships, he trusted, would sustain that character, by agreeing with the public at large in the adoption of a measure which was nearest and dearest to their hearts.

TITHES (IRELAND).] Viscount *Clifden* presented a Petition from the Clergy of Ossory, Leighlin, and Ferns, in Ireland, stating, that it had become impossible to collect their Tithes in that district, and that, unless the Legislature took measures for their relief, the Clergy and the Church would be deprived of their property. The

Petition was signed by forty clergymen, and nothing could be more moderate than the language in which it was couched. They prayed that some measure for their relief should be adopted, and suggested that a general compulsory and equitable composition might be resorted to in Ireland. He was of opinion, that until some measure of relief should be introduced and passed, there would be no peace in Ireland. In that country there were two regular hierarchies—the Protestant and the Catholic. The Protestant Clergy had the revenues, and he defied any country to produce such an establishment as five Archbishops, and eighteen Bishops, with a flock of only from 600,000 to 1,000,000 persons; the Catholic Clergy were in truth the Clergy of the country. In the present state of things there was perpetual collision between the Catholics and Protestants whenever there was an attempt to collect the tithes in kind.

The Marquis of *Westmeath* could bear testimony to the accuracy of the petitioners' statement, and thought there could be no objection to making the composition of tithes compulsory on that part of the country.

The Earl of *Wicklow* assured their Lordships, that there prevailed the most determined disposition to resist the payment of all tithes in that part of Ireland, and unless the Government adopted some effective remedy for the growing evil, the payment of tithes would not be the only thing objected to, but the same course would be followed with rent, cess, and taxes.

Lord *Carbery* said, he had witnessed the effect produced by the composition of tithes, and they were invariably paid without the slightest opposition. Under the circumstances, he could scarcely oppose an enactment for compelling composition, although he should have considered it better if the measure were adopted voluntarily.

Petition to lie on the Table.

WINE DUTIES BILL.] Lord *Auckland* moved the Order of the Day for the Third Reading of the Wine Duties Bill. By the Bill which was now before their Lordships, a more fair distribution of the Duties on Wine would be effected, than that which at present existed. It was proposed to place the Duties on Wines coming from France, on a better footing than that on which they at present stood. A distinction had been made against French wines, with reference to those of Portugal, which had continued for upwards of a century, and, with reference to other foreign wines, for a shorter period. By the present Bill it was intended to equalize the system. The Bill might, in the first place, be considered with a view to its probable financial effects, and, in the next, with reference to its commercial bearings. The different duties on wines at present were 2*s.* 3*d.* per gallon on Cape, 4*s.* 10*d.* per gallon on foreign wines generally, and 7*s.* 3*d.* per gallon on French wines. It was now proposed that the duty on Cape wine should be 2*s.* 9*d.* per gallon, and on all foreign wines, without distinction, 5*s.* 6*d.* per gallon. It was hoped, that by adopting this plan the consumption of wines would not be diminished. As several taxes had been remitted, it was necessary to make up for the deficiency of revenue thus occasioned; and it was expected that by this plan, 176,000*l.* per annum would be gained. This was no inconsiderable sum, and one which, looking to the present state of the finances, it was extremely desirable to secure. As to the commercial part of the question, he was aware that there was a strong feeling on the subject amongst some of the noble Lords opposite: but he found it very difficult to anticipate any arguments which those noble Lords might bring forward that had not already been answered. It had been asserted, that this measure was adopted for the purpose of granting benefits to France at the expense of Portugal. This, however, he entirely denied. The state of those duties, as they now stood, evinced a direct hostility to France, and a palpable partiality and favour to another country. It was wise, therefore, to alter them. This measure was no more directed against Portugal, than was the reduction of the duties on Spanish wines in 1825, intended to injure the trade with Portugal. Countries so contiguous as England and France were—countries possessing commodities that might be beneficially exchanged, ought not to allow national prejudices or senseless regulations, to obstruct that free interchange of commodities which would be extremely beneficial to both. It was in the hope of extending the trade between those two States, without improperly altering the commercial relations which existed between us and other countries, that this measure was proposed. It might be said that Portugal would resort to retaliatory proceedings. He did not think so. Our custom was too valuable to Portugal to allow her to do anything which could place it in jeopardy. Of 80,000 pipes of Port that were exported from Portugal, 60,000 found their way here. The noble Lord concluded by moving the third reading of the Bill.

The Earl of *Aberdeen* said, he would state his reasons for believing, first, that the expectations of the noble Lord as to the financial operation of the Bill would be disappointed; and next, that as a measure of commercial expediency, it would be found extensively injurious. Independently of these two points, there were other reasons, of a much more important, and of a far higher nature, which called on him to describe this measure as exceedingly impolitic and unjust. He would not stop to inquire into the merits of the Methuen Treaty, though he might remark, that it had been called by Mr. Fox the commercial darling of the British people—but he would merely consider the right of this nation to put an end to it, without notice, as this Bill did. The noble Lord then proceeded to argue, that by the general Treaty of 1810, the Methuen Treaty was recognized. The 26th article of the Treaty of 1810 declared, that the stipulations with respect to the wines of Portugal on the one hand, and to the woollen cloths of England on the other, should remain unaltered; but each party, at the end of fifteen years, was allowed the right to review the different articles, and to make alterations in the terms, upon due notice being given. Now that notice had not been given in this instance; and, therefore, he contended, that the government of our ally had been unjustly treated. That the Methuen Treaty formed part of the Treaty of 1810, entered into at Rio Janeiro, appeared from this fact—that up to that time the duties on woollen cloth were twenty-three per cent; but by that treaty, notice having been given, the duties on articles of every description were reduced to fifteen per cent. His argument with reference to the Methuen Treaty was further borne out by the conduct of the Portuguese Cortes in 1822; and he might be allowed to observe, that, for centuries, the only period when hostility and ill-will were shown to this country by Portugal, was during the existence of that Cortes. That body undertook to renew the twenty-three per cent duty according to the old treaty, but the pretensions of the Cortes were successfully resisted by this country. He maintained that the treaty of 1810 was general, and applied as well to the Methuen Treaty as to any other. The Methuen Treaty was either separate or it was not. If it were separate, the claim of twenty-three per cent was not improper; if it were not, if it were to be taken in conjunction with that of 1810, then British manufactures were only liable to fifteen per cent duty. But, in that case, it was quite clear that we ought to comply with the other conditions of the treaty, and notice should have been given to Portugal of any intended change. With respect to the financial part of the question, he doubted very much whether the anticipations of the noble Lord would be realized. He did not believe that the increased consumption of French wines would keep pace with the reduction of the duties, while it was very probable that some diminution would take place in the consumption of Portuguese and Spanish wines. In fact, no demand for the low-priced wines of France existed in this country. At the same time, high-priced wines found their way here to such an extent, that if the consumption became much greater, the consequence would be, that the price in France would be raised so high as to prevent individuals here from indulging in that species of luxury, and thus the revenue must necessarily suffer. What was the effect of the reduction of the duties on French wines in 1825? At that time a reduction of 6*s.* 6*d.* a gallon took place in the duties on French wines. No doubt, in that year, there was a great increase of importation; but it had been rapidly diminishing ever since; and the importation was at present little more than it amounted to before the diminution of duty was made. The number of gallons of wine imported from France in 1825 was about 1,000,000; last year the number of gallons was only 352,000. It was, therefore, evident that the experiment had failed. Were they, then, to hazard the loss of so great an export trade as they possessed with Portugal, in the hope of permanently increasing the consumption of French wines—a speculation which was not at all likely to be realized? Let them consider the distress which now prevailed amongst a very numerous class of our people, and then say whether they were prepared to risk so great a loss as possibly, and he would say probably, this measure would inflict on our woollen manufacturers? Of our whole European exports, one-sixth part was sent to the Peninsula, for in this case, it should be observed, Spain was closely connected with Portugal. These two nations were our best commercial customers; and he much feared, if this measure were carried, that a great reduction must take place in a trade which had long been most beneficially carried on. The exports of this country to Portugal included no less than sixty-seven articles; and he had no doubt that, with respect to some of them, a competition, which this measure was calculated to produce, would drive us out of the market. The noble Lord did not anticipate that Portugal would have recourse to retaliatory measures. He, however, had no doubt that Portugal would alter her scale of duties, and that would be quite retaliation enough to deprive this country of a great share of that market which England at present almost wholly possessed. The average amount of our exports to Portugal was 2,500,000*l.* per annum. While the whole amount of imports, including fruit, wine, and everything else, was between 500,000*l.* and 600,000*l.* per annum. The balance was defrayed by bills or specie, to the great benefit of this country. Now there was no difficulty for France to carry on such a trade; because, though the French did not drink Port wine, they would have no objection to receive dollars for their goods. One branch of trade, and a comparatively new one, would, he feared, be greatly affected by this measure. He alluded to the cotton manufacture, which, in Portugal, had, in a great measure, superseded the use of woollens. Last year the exports of that article amounted to nearly 700,000*l.*; and they were so great, in consequence of our enjoying an absolute monopoly of the market of that country, where our manufactures paid only fifteen per cent duty, whilst the manufactures of all other countries were subject to a duty of about thirty per cent. It was to him quite clear that no retaliatory measure was necessary to deprive us of much of these great benefits, beyond the mere equalization of the duties on the part of Portugal. He would advert to another important article of trade, in which at present this country enjoyed a practical and lucrative monopoly. He meant the trade in fish, which was carried on with Portugal on account of the Colony of Newfoundland. The injury which the measure would inflict upon that interesting and important possession, would be as great in amount as would be the benefit which the noble Lord presumed would result from it. He touched with some degree of confidence upon this point, because, when he was in office, he had had communications laid before him from all parties interested in the Colony of Newfoundland, and they shewed the utter impossibility of that island competing upon equal duties with the Americans or the Norwegians in the ports of the Peninsula. In Spain there had been a lamentable, but decided proof, of the truth of that assertion. The Americans and the Norwegians had latterly been allowed to import fish into the markets of Spain at the same duties as England did, and the consequence was, that the trade of this country with Spain in fish, amounted to only one-tenth of what it did prior to that being the case. Such was the fact with respect to Spain; and, if the duties were equalized in Portugal, why should not a similar result take place? He knew of nothing to prevent it. The Newfoundland trade in fish with Portugal, which at present amounted to 200,000*l.* in value annually, would be reduced to nothing. Nor was the loss of that trade only to be considered, for the shipping interest would suffer considerably. It could not be said that America, like France, did not desire Portugal wines, for in all probability the United States would be glad to take those wines, if her commerce was admitted to Portugal upon the same terms as the manufactures of this country. With respect to the shipping interest, the loss would be a serious one to this country. It was a happy and desirable peculiarity in the trade of this country with Portugal, that it was all of it, almost without exception, carried on in British shipping. That trade employed between 700 and 800 British ships. It might be asked, if the equalization of duties is to produce so serious an effect, how is it that it has never yet been resorted to by Portugal, there having been no law or treaty to prevent Portugal from adopting such a course? In reply to that interrogatory, he must observe, that the subject had often been mooted. It had been discussed more than once, and apprehension had prevented its being carried into effect.

The government of Portugal feared to lose the protection of England; and he might add, that deference to this country had also swayed the government of Portugal. During a long period of years, it had been the object of every Government of this country to maintain a close connexion with Portugal, and to cultivate an intimate correspondence between the two countries; but now it seemed to be the wish of the Government of this country to get rid of its oldest ally, and to leave all the commercial intercourse between the two nations to chance. If an increase of revenue merely was the object of the measure, why did not the Government at once lay an increased duty upon all wines? Why was Portugal to be subjected to an especial injury? Acting upon the noble Lord's own principle, that of an equalization of duties, the measure was partial and injurious to Portugal, for it laid as high a duty upon the low wines of Portugal as it did upon the high wines of France. Wine from Portugal that cost but 10*l.* a cask, paid as high a duty under the measure, as did wine from France that cost 20*l.* The noble Lord had adverted to the complaints which had been made against the Oporto Wine Company. He would not then go into the question of the conduct of that Company, but he might remark, that there were different opinions with respect to it. He knew that there were many of the first merchants in the city of London who entertained very different opinions of that Company from those expressed by the noble Lord. He had in his possession letters from merchants of the very highest respectability, who spoke of that Company as being beneficial to the commerce of this country, and to the consumer of Portuguese wines. But supposing the Oporto Wine Company was a grievance, granting that it was a great and serious evil, surely that in itself was not a sufficient reason for giving up an extensive market for the manufactures of this country. The Oporto Wine Company was not necessarily immortal. If it were an evil, it certainly was not one of recent standing. It had existed ever since the time of the Marquis Pombal, and its existence could not, therefore, be imputed to the present Government. The charter of that Company would, he believed, expire in three or four years, and an opportunity would then occur for modifying or altering the system on which it was founded, if it were considered to be injurious. That, however, could not be done until friendly diplomatic relations were renewed with the Portuguese government. With respect to the policy of reducing the duties on French wines, he would ask, whether the conduct of the French government towards this country had been such as to deserve so great a boon? Was the government of the Revolution more liberal towards Great Britain than that of the Bourbons had been? He had in his possession letters received by merchants in the city of London, which placed the relations of this country with France in a curious point of view. From one of these it appeared, that in September last, coffee rose to 55*s.* per cwt. in Paris, while in London it was only 45*s.* per cwt. One would have supposed that coffee would have been sent direct from this country to the ports of France. But it appeared, that by the regulations of the French government, no such produce could be sent direct to France from Great Britain. It must come from a foreign country. The orders were therefore sent to Hamburgh, to Bremen, and other foreign ports; whilst London, the great dépôt, was neglected, in consequence of the regulation that such produce sent from England could not be received except in bond. This was a great hardship on the British merchant, who was put to considerable expense for insurance, besides running the hazard of losing the market in consequence of this round-about mode of communication. One of those merchants asked, very reasonably, "Is it because we are placed in this situation by the French government, that the duty on French wines is to be reduced?" He was not much surprised at this illiberality in the conduct of the French government; for he had observed, that free States, in their commercial policy, were apt to act more illiberally than despotic States; and the reason was, because local and partial interests were more strenuously and powerfully supported. The French government, though not willing to treat us with common friendship, was not slow in obtaining advantages from other countries at our expense. He had formerly brought under the notice of their Lordships the activity of the French agent, who had been sent to the Tagus to demand reparation for the punishment of a French subject, for what was denominated the most beastly sacrilege that ever was recorded. That agent took the opportunity which his mission afforded, to slip into the treaty an article in favour of French commerce, and for the purpose of undermining and destroying the commercial advantages possessed by this country. [Lord *Holland:* "hear, hear."] The noble Baron cheered, but did the noble Baron mean to deny that what he stated was a fact? Did the noble Baron mean to say, that the document he had produced on a previous occasion was a forgery? Did the noble Baron mean to deny, that the French Admiral, only professing to seek reparation of declared injuries, had endeavoured to gain some commercial advantages for France? The noble Baron could do no such thing. He did not think that the equalization of duties by the Portuguese government was the worst measure this country had to apprehend. Although the Treaty of 1810 was declared to be perpetual, still either party had the power to put an end to it after the expiration of fifteen years; and although Portugal had hitherto shewn no inclination to exercise that power, it was impossible to say what might be its conduct under altered circumstances. Upon that treaty depended all the advantages and privileges enjoyed by Englishmen in Portugal, and the observance of which privileges had recently been so strictly insisted upon. But for that treaty not one of those insults which had been complained of and redressed, could have been complained of by the Government of this country. Such was the fact, and yet that very treaty was now to be violated and to be set at nought. He maintained that without the special privileges secured by the Treaty of 1810 to British subjects, the British squadron that demanded redress in the Tagus would have had no right there, for the injuries complained of would not have been injuries. But the same Government that insisted upon the possession of those extraordinary privileges, privileges possessed by no other country, would now take from Portugal the only commercial advantage the treaties gave to her, and also deprive that country of the protection which she had so long enjoyed, and which she had purchased at no niggard price. Not only had Portugal given to this country great commercial advantages, but she had also given large territorial possessions in consideration of that protection which she had received. In 1661, when the alliance so honourable and beneficial to both nations was formed, this country received Bombay and other possessions from Portugal. He complained of the measure itself, of the manner in which it was introduced, and of the time chosen for its introduction. He could only look at it as an act of hostility to the present government of Portugal, and, coupled with other circumstances, highly reprehensible. It was notorious that preparations were making in this country for the invasion of Portugal. These preparations were carried on in defiance of all treaties, and if not encouraged by the Government, must at least be known to it. Frigates had been purchased upon account of Don Pedro, and they were then fitting in the river, and were to make an easy passage to Havre, where they were to take in their guns and other stores. This was a conspiracy, but not a secret conspiracy, and, coupled with the production of the measure before the House, made it appear as if that measure was the share of his Majesty's Government in the plot. As to what Don Pedro might do, whether he went to Portugal with one constitution or with two constitutions, it was a matter of perfect indifference, as long as that person was left to his own conduct and his own resources; but if the Government of this country not only connived at the attempts of Don Pedro, but covertly assisted them, and France furnished assistance also, then the conspiracy might have a very different result. Should it, however, under such circumstances, be successful, it would not be so without much bloodshed and much confusion. If Portugal were an insulated as well as a weak power, then injustice would have run its basest course without interruption; but it was no such thing. It was in the immediate neighbourhood of a high-spirited and powerful nation, who would not see it trampled upon and wronged. Spain never would and it never ought to tolerate such gross injustice as was evidently contemplated against Portugal. For God's sake, for once let the personal character of the king of Portugal be left untouched. He would allow that that personage was a Nero; that he was worse; that he was as bad as the eldest branch of the family of the Bourbons; but still he said, let the measure be considered as a measure between two nations, and not as a measure to destroy the power of a particular individual. British interests had already suffered too much from the personal animosity felt towards Don Miguel, and scarcely a day passed that they did not receive some new wound upon the same account. And what did the noble Lords, the members of Government, propose to themselves even if the change should be effected? Suppose Don Miguel displaced and Don Pedro established, what would be the consequence? Why the very next hour every British subject in Portugal would be deprived of all exclusive privileges. The men who would come into power were of that class who had been members of the Cortes, and whose animosity and insolence to this country had called for the animadversions of Lord Castlereagh, and had caused the only misunderstanding there had been between this country and Portugal for an immense period of time. He looked upon the measure, the only one decently within the reach of the noble Lords opposite, as the rupture of the last link of friendship between this country and Portugal. It was less generous and less fair than a manly, straight-forward declaration of war, for it had all the enmity of the proceeding without one particle of its bravery. For all the reasons he had stated, he could not give his sanction to the third reading of this Bill.

Viscount *Goderich* said, he would not enter into a general review of the actual state of our relations with Portugal, because the state of those relations could not be understood, unless their Lordships were enabled to trace all the circumstances which placed this country in the situation in which she at present stood with respect to Portugal. He regretted that the documents which would elucidate the conduct pursued towards Portugal were not yet ready; because those documents would show, that what the noble Earl adduced as matter of crimination against the Government had no foundation whatever. The noble Earl seemed to express an opinion that this measure of equalizing the duties on wine proceeded from a spirit of hostility to Portugal, coupled with a desire on the part of this Government to conciliate the existing government of France. [The Earl of *Aberdeen:* "no, no."] Then he understood that the noble Earl attributed the measure solely to a hostile feeling towards the present government of Portugal. Now it was very difficult to prove a negative against such an assertion; but he would distinctly say, that this notion was utterly unfounded in fact. The present measure had nothing to do, and never had any thing to do, with the existing relations between this country and Portugal. The idea of equalizing the duties on wine was not new. It was a measure the propriety of which he had long been convinced of. Very soon after he became acquainted, officially, with the commercial interests of this country, he entertained a doubt whether any of the advantages described by the noble Earl were derived from the treaty with Portugal; and he was at length convinced, that so far from being beneficial in a commercial or political point of view—that so far from tending to cement the union between the two countries—the effect was decidedly the reverse. That was his opinion, and, whether it was right or wrong, it was not now taken up for the first time. In 1829, when he was not connected with the Government, he was requested by certain individuals who were interested in the manufactures of Birmingham, to make some representation with respect to the trade with France, and they ascribed the evils which they complained of, that of being prevented from carrying on an extensive trade with France, to the operation of the Methuen Treaty. He transmitted their representations to Mr. Vesey Fitzgerald, who was then President of the Board of Trade, and he took the liberty of an old friend to state, in a letter which accompanied those representations, "that in his opinion the Methuen Treaty was not only an evil, but a nuisance." This might be too strong a term; but it showed what his feelings were at the time. The noble Earl argued that the present measure was unjust and impolitic—unjust because it was in violation of treaties by which this country ought to be bound, and impolitic because it was favourable to a nation that did not meet us with a reciprocal feeling. He admitted, that if it were a violation of treaties, there was no censure which the noble Earl could heap on Ministers that they would not in that case deserve. It was preposterous to imagine that Government would justify a fiscal or commercial measure at the expense of honour or good faith. He contended, that we were not bound by the Methuen Treaty to give any notice. But it was said, there was an article in the Treaty of

1810, which said that, after notice, it should be competent to suspend the articles; but the terms in which the Methuen Treaty were introduced, clearly took it out of the operation of the clause which required notice. The terms were, that the treaties respecting wines and woollens were to remain unaltered. If they were to remain unaltered, there could not be imposed upon England a new obligation which did not before exist in the treaty. Did the Treaty of 1810 require notice? It was impossible to argue, from the terms of the treaty, that there was any necessity for notice whatever. The Methuen Treaty had been talked of as a great system of commercial policy, and had been held out as a thing to be imitated. That treaty was neither more nor less than a bribe to induce the king of Portugal to unite with England against France. The parties contemplated that the treaty would not be permanent, because it stated what should be done if England chose to forego the advantages which were held out to her. If Portuguese wines were not admitted on the proposed terms, the duties on woollens were to revert to what they before were. Portugal, then, had her own remedy. The treaty contemplated the mode in which Portugal would be entitled to act. The noble Lord had quoted an expression of Mr. Fox, that this treaty was the commercial darling of the people of this country. But Mr. Fox was not infallible; and one of his contemporaries, Adam Smith, had written an able chapter in his work to prove the monstrous absurdity of the treaty which the noble Lord thought of so great an advantage. [The Earl of *Aberdeen* alluded to the Treaty of 1810.] There was not a word said about notice, and, therefore, no just charge as to a violation of treaty could be made. If the Methuen Treaty were, as he conceived it was, disadvantageous, they had a right to get rid of it. In his opinion, it was contrary to sound commercial principles, and it was likely to involve the country in difficulties, instead of really benefitting it. The Oporto Wine Company was the legitimate child of the Methuen Treaty, and was quite as bad as its parent. So far from the Methuen Treaty being a bond of union between the two countries, he had only to say, that on one occasion that bond of union had nearly produced a quarrel. For instance, some years ago, in 1801, under the Administration of Mr. Pitt, that great Statesman was obliged to write to the Marquis da Pinto, stating, that if he did not give satisfaction to the British Government, England would give to France, not a superiority, but that equality of which she was deprived by the Methuen Treaty. The noble Lord opposite thought it an advantage to the country to have 20,000 hogsheads of wine annually from Oporto, and not from Lisbon and other ports of Portugal. What advantage that was to the consumer of England, for his life he could not tell; but the fact was, that in consequence of the monopoly of Oporto, the people of England drank, under the name of Port, the most villainous compound that could be invented—not, indeed, the manufacture of Portugal, but of the dealers of wine in England. Since the year 1810, the Government of England had been compelled to state to Portugal, that she had been guilty of a gross violation of the Methuen Treaty, and that, if redress were not given, the abrogation of it must necessarily follow. The Government of England had, therefore, given the notice which the noble Earl required. No redress had been afforded to its representations, the government of Portugal relied on its influence, or on our supineness, and had turned a deaf ear to our complaints. He repeated, therefore, that the effect of the Methuen Treaty had been any thing but friendship between the two countries. The Methuen Treaty, moreover, was onerous on the people of Portugal. That country was obliged to admit our woollens at fifteen per cent duty. We might place any duty we liked on the salt, the oranges, and the wines of Portugal, provided we preserved the proportions. Now this was bad policy; for reciprocity should be the basis of all commercial treaties. Unless the noble Earl could establish the proposition that two negatives made an affirmative, he could not make out that a treaty which was onerous on two countries could be good for either. His noble friend had dwelt, too, on the commercial disadvantages which would result to England from this course of proceeding. He anticipated no evil effects from it; Portugal would revert to the rights she possessed before the Methuen Treaty. She might then undoubtedly, if she pleased, injure her own subjects by putting a heavy duty on our woollens and cottons. But suppose Portugal were so unwise as to place, in revenge, a prohibitory duty on British goods, as long as there were in the world those exceedingly ingenious people called smugglers, they would inevitably find their way into the dominions of Don Miguel. This very consideration would prevent Portugal from adopting a course so futile and injudicious. It was not to be disputed that our cottons and woollens were so superior to those of other nations, as well as so much cheaper, that they found their way into every part of the world, and even undersold the native productions of India. The effect of the contemplated change then would be, in his opinion, to increase the whole consumption of wine, and by destroying the monopoly, to reduce the price: not only the lighter French wines would then obtain admission, but the quantity of genuine Port wine consumed would be greater, so that Portugal herself would be a gainer by the change. He knew that the commercial system of France was most injuriously restricttive, and the fact had been admitted by Prince Polignac himself; but there was little doubt that ere long she would find the advantage of following the example of Great Britain. He denied most strenuously that there existed on the part of Government any disposition to favour France at the expense of Portugal; and the course of policy to be carried into effect by this Bill was founded, not only upon the wisest, but upon the most profitable principles.

The Duke of *Wellington* said, he had heard the last sentence that fell from the noble Lord with great pleasure, and he wished that the country, judging from the acts of the noble Lords opposite, could place implicit reliance in the declaration which it contained. Such, however, he feared was not the case, for, looking at the reply of the noble Lord to the remarks of his noble friend, and the acts of the Government, he could not but conclude, that the Government was actuated by inimical feelings, and by feelings of passion against the present government of Portugal. His noble friend had placed the measure upon two grounds, as it would affect our finances and our commerce; and his noble friend had stated his reasons for believing that, as a financial measure, it would not answer the expectations entertained by the noble Lords with respect to it, and also his reasons for regarding it, as a commercial measure, as prejudicial to the interests of this country and of an old and faithful ally. To the objections of his noble friend upon the financial part of the subject no answer had been given or attempted by the noble Lord, excepting that the noble Lord had expressed it to be his belief, that it would occasion some increase in the consumption of French wines. There was a fact intimately connected with this part of the subject, which had not been at all alluded to by the Government. He meant the present and progressive consumption of Portuguese wine. At this moment that consumption was decreasing. In 1829 the consumption for the year was 2,398,000 gallons; in 1828 it was 2,603,000 gallons; and in 1824 it was 2,655,000 gallons. Yet this was the moment that was chosen to increase the duty, and that, too, their Lordships were told, for the purpose of increasing the revenue. Such a proposition was absurd. The consumption of an article was decreasing, and yet a new duty was levied upon it, for the purpose of acquiring an enlarged revenue. And what was the amount of increased revenue that was required? Why 175,000*l.* The House could not have been told by the Government what was the real object of the measure, but there must be some concealed covert design in bringing it forward. Then, with respect to notice being given to the government of Portugal of the intention to propose this measure, he contended, that if nothing whatever had been said in any treaty upon that point, still the Government of this country was bound by the usages in force among friendly Powers to have stated to Portugal its intention. But this country was bound by treaty to give a specific notice of such a measure as this. By the Methuen Treaty itself the government was bound; and there was one point bearing upon this part of the subject, and alluded to by his noble friend, which had been left altogether unanswered by the noble Lord. If the Treaty of 1810 had no reference to the Methuen Treaty, how was it that, in consequence of that treaty, the woollens of this country had been introduced into Portugal on payment of a duty of fifteen per cent instead of twenty-three per cent? That one fact indisputably proved that the Methuen Treaty had come under the Treaty of 1810. Notice ought to have been given to the government of Portugal, and in not giving it, the Government of this country had been guilty of a gross violation of treaties. But, said the noble Lord, notice has been given, repeated remonstrances were made to the Portuguese government respecting the improper conduct of the Oporto Company. But the treaty contemplated no such vague supposititious notice as that, but contained a regular form of notice, and that form had not been complied with. His noble friend had then contended, that this change was made to favour the commerce with France; and, in reply to that the noble Lord stated that in his opinion reciprocity was the only system that would prove truly advantageous to this country. Now what was this reciprocity with France, for which so much was to be risked? The whole of the exports from this country to France amounted to between 300,000*l.* and 400,000*l.* annually; and the amount of the exports from this country to Portugal for a similar period, to 2,500,000*l.*; including the exports to Spain which went through Portugal. Thus stood the facts; and they were to risk breaking up so important and extensive a commerce, for the purpose of cultivating reciprocity with a country which repudiated every attempt at any thing of the sort. France had been already tried upon the principle of reciprocity, and she disowned it. Was there not already a reciprocity treaty in existence with France, and how had she conducted herself with respect to its provisions? What did the shipping interest of this country say with respect to the conduct of France concerning the shipping reciprocity Treaty of 1825? The conduct of France with respect to that treaty had been continually remonstrated against, and yet no satisfaction whatever had been received. The truth was, that the government of Portugal had, for the last ten months, been looked upon with inimical feelings and with passion by the King's servants, and this measure was not brought forward with any view to revenue, but for the purpose of opposing and embarrassing the existing government of that country. The noble Lords opposite did not like the situation of the government of Portugal; it was not to their mind; and they were anxious, either by revolutionary measures or any other to overthrow it. Let them, however, look well at the responsibility they were incurring. Let them consider the frightful consequences in which their planning might involve this country and the whole of Europe. If their designs were even met with a temporary success, they would inevitably lead to a war of opinions, to a war of religion, the worst of wars, and the most deplorable consequences for all Europe would ensue. He thought it right to acquaint the House with what he knew upon this subject. A loan had been contracted in this country upon account of Don Pedro, for the purpose of defraying the charges of an expedition for the invasion of Portugal. That loan was raised upon the Crown lands and Church property of Portugal. It was to him most extraordinary that a Prince who had diverted the revenue of the Brazils for the payment of the interest of a loan contracted in this country for the invasion of Portugal, and by such conduct had lost the Crown of the Brazils, should now be able to raise a second loan for a similar object. He must say, that the whole conduct of the Government throughout these transactions, was grossly partial and unjust. Why, he asked, was there at that moment two ships of the line and a number of frigates in the Tagus before Lisbon? Was it to protect British subjects? Surely not, for this country was not at war with Portugal, nor was there any point of dispute between the two Powers. Such conduct was altogether unjustifiable, and, coupled with this measure, must compel the people of England to regard the conduct of the Government as prejudiced, and designedly tending to an injurious, and un-English course. And what was the time chosen for bringing forward this unjust measure? Why the very period when England was claiming the exercise of her extraordinary and unprecedented privileges under treaties which, were now violated and decried. These were transactions unworthy of this country, and could not fail to lead to disgraceful results.

The Marquis of *Clanricarde* thought it the duty of their Lordships, in considering the measure before them, not to look at what good Portugal or France might reap from it, but what would be the benefit likely to arise to Great Britain. For his own part, he must regard it in a very different manner from the noble Duke; it being, in his opinion, good both as a measure of finance and as a measure of commercial policy. In saying this, he was not bringing forward any new view of the matter. Mr. Pitt, in 1787, when speaking of the Oporto Wine Company, stated, that if the grievances complained of were not remedied, this country would feel herself at liberty to seek a more beneficial wine-trade somewhere else. With respect to the alleged violation of the Treaty of 1810, he thought he could satisfy the House that that argument could not affect the question. By the provisions of that treaty, the treaty of Methuen was continued; and now, because they acted as they had a right to do under the treaty of Methuen, they were charged with breaking the Treaty of 1810. The noble Duke had compared the relative amount of their exports to France and the Peninsula; but surely they were not to act on that ground alone. Were they not to consult the comfort of the people of England, and to procure them an article of convenience or gratification if they desired it? Were their enjoyments to be abridged because the French persisted in refusing English exports? He would not appeal to the French system for the purpose of the noble Duke—he would appeal to that system for avoidance, not imitation. Let the admirers of forced manufactures look to those of France, and see the result of a narrow policy. They should not think of Don Miguel in their deliberations on the present measure, but of the financial and commercial interests of England; and he was of opinion that they would act wisely in cultivating those relations of trade with France which might lead her to direct her energies to arts productive of peace and its blessings.

The Bill read a third time, and passed

Difference between the Lords and Commons.] The *Lord Chancellor* then called their Lordships' attention to the Bill for regulating Lunatic Asylums, which had been returned to the Commons much amended, and sent back from the Commons to the House of Lords with nearly all their Lordships' amendments rejected. It came up, originally, one of the most abominable pieces of legislation that ever was seen. He said that without any disrespect to the other House, for he was sure they could not have seen and known of the Bill. It provided, that any person —and that person might be the wife or sister of one of their Lordships—momentarily deranged from any accident (and such a thing was frequently the consequence of child-birth), who should be sent into a temporary asylum or lodging-house for convenience and secresy, should be immediately reported by the lodging-house keeper to the Commissioners, and the name of the party was to be made known to the Secretary of State for the Home Department and to the Lord Chancellor. That was a monstrous species of legislation. But the Bill provided for keeping the name of such party secret, by communicating it only to the Lord Chancellor and the Secretary of State; but these were political officers, and of all men, the last whom he would like to intrust with such a secret. But then the indictment for not reporting this lodging-house, how was that to be kept secret? The wiseacres seemed to suppose that an indictment could be preferred anonymously. But who ever heard of an anonymous indictment. It must be said that Lady or Mrs.—— was kept for forty-eight hours in the lodging house, &c.; and what was to follow? Why the lady herself must be called into the witness-box, and an investigation must be gone into as to the state of her mind when she was placed under the superintendence of the lodging-house keeper. So, here was an Act which, in order to preserve the secret of persons suffering under such a calamity, would compel them, though they might be ladies, and though, they might be married, to go into a Court of Justice to prove that they had been in a lodging-house. He should be sorry that there should be no bill passed at all, but their Lordships could not pass a Bill of that description. A conference had taken place with the Commons, who had not assigned any reasons for rejecting their Lordships' Amendments, which much improved the Bill. He did not know whether these Commissioners ought not to be dispensed with; and he thought it would be better to trust to the relatives, wives, husbands, or children of persons unhappily afflicted, than to these Commissioners. These gentlemen, too, who were so anxious to preserve secresy, refused to take an oath themselves, though that was done by Privy Councillors. He was sure that their Lordships could not agree to the Bill in its present shape. They could never suffer such an abominable piece of legislation to be crammed down their throats. He hardly knew what to do, but he believed he must give notice of his intention to have it taken into consideration at a future day. In consequence of a suggestion of Lord Ellenborough's, the noble and learned Lord concluded by moving, that the Bill, with the Amendments of the Commons, and with the Amendments of their Lordships, should be printed, and the latter in italics, so that their Lordships might see the difference.

The Bill, with these Amendments, was accordingly ordered to be printed.

HOUSE OF COMMONS,

Friday, September 30, 1831.

MINUTES.] New Writs ordered. On the Motion of Mr. W. HOLMES, for Dorchester, in the room of Lord ASHLEY, who had accepted the Chiltern Hundreds.

Returns ordered. On the Motion of the ATTORNEY GENERAL, for the amount of all Fees in matters of Bankruptcy received by the Clerk of the Hanaper for the last three years, and of all Monies paid by him to the LORD CHANCELLOR and his Officers:—On the Motion of Mr. BURGE, Correspondence with the Governor of St. Lucie, and exports to South America for the last ten years.

Petitions presented. By Lord INGESTRIE, from the Corporation of Weavers in Dublin, for the establishment of a Board for the regulation of the affairs of Ireland. By Sir CHARLES FORBES, from the Vestry of St. Pancras, against the Select Vestries Bill. By Mr. HUME, from St. Pancras, in favour of Open Vestries.

ST. GEORGE'S, DUBLIN.] Sir *John Newport* presented a Petition complaining of the parochial rates in St. George's parish, Dublin, exacted from the parishioners. In some cases, the arrears of rates had been demanded for twenty-two years, though the landlord had not occupied his house, and had not received any notice that these rates were due. In other cases, the parish authorities had actually pulled down a house, and sold the materials to pay the rates. The system pursued was monstrous, and the charges levied on those parishioners were of such a nature that he thought the petition had a right to the best attention of the House.

Mr. *O'Connell* supported the prayer of the petition. He would submit that this case should be laid before the law officers of the Crown, in order that they should take it into their consideration, whether the trustees for the building of a church in St. George's ought not to be proceeded against.

Mr. *Crampton* admitted that he thought there had been a gross misapplication of money in that parish, and there should be an inquiry made into it immediately.

Petition to be printed.

SELECT VESTRIES' BILL.] Sir John Hobhouse moved the Order of the Day for the House to go into a Committee on the Select Vestries Bill,

On the Question that the Speaker do leave the Chair,

Colonel *Lindsay* rose to correct a misstatement that had gone abroad. It had been stated that the hon. member for Middlesex had said in that House, that he had refused to pay the rates in the parish of Marylebone; this, however, was not the case, for he had applied to the collector on the subject, who had told him, that the hon. Gentleman had not on any occasion refused to pay, but that, on the contrary, he behaved like a very civil gentleman whenever he was applied to for the rates. With respect to the seizing of goods that had taken place in the parish, the process had been held back for a considerable time; and though it had at last been issued, the sale after all did not take place, as a large body of people had assembled to prevent it. He was a select vestryman of Marylebone; and he begged, in his own name, and in that of his brother vestrymen, to state, that they had no intention of supporting a self-elected system: on the contrary, they were anxious that the Vestry should hereafter be elected by the rate-payers; and, therefore, they had no intention of opposing the Bill of the hon. Baronet. But though they admitted its principle in this respect, there were parts of it which he thought were inapplicable to metropolitan parishes.

Mr. *Hume* said, that certainly a little error had crept into the report of what he had said on a former occasion. He had not said that he had refused to pay his rates, for on the very morning that he presented the petition, the collector had been with him to state that he was apprehensive for the peace of the parish, in consequence of which he had addressed a letter to the Secretary of State. What he had stated on that occasion was, that he had entirely concurred in the prayers of the petitioners, who were not willing to pay taxes that were raised by an irresponsible body. He had no hesitation, however, in saying, that rancour was at its greatest height in Marylebone parish, and would not be appeased without some alteration. He was glad, therefore, to suppose that his Majesty's Ministers were to support the Vestries' Bill. If there were any misrepresentation in the petition, he could only express his regret at it; but he had asked the petitioners as to the truth of the statement, and they said, that they were ready to substantiate their statements at the bar of the House. He called on the House to look at the confusion which now prevailed in different parishes,—to look also at Islington, where a greater meeting had assembled to resist the Select Vestry District Rates than ever was known before. He hoped that this state of civil war would be put an end to by the passing of the Bill.

Mr. *William Peel* could take it upon him to state, that no Magistrate could hesitate to grant a warrant for distraining, if applied to by the parish officers.

Mr. *Hunt* said, before the Speaker left the Chair, he was desirous of putting a question to the Under Secretary for the Home Department, respecting a pauper named Summers, who had been committed to prison.

Sir *John Hobhouse* interposed and said, if the matter were likely to occupy the time of the House, he hoped the hon. Member would postpone his question until the Vestry Bill was disposed of, as it had been specially appointed for that hour.

Mr. *Hunt* said, he apprehended it would not detain the House many minutes from going into Committee. He wished to know from the hon. Gentleman a fact respecting the pauper Summers, who had been taken before Mr. Walker, the Lambeth-street Magistrate, and committed by him to the House of Correction, to hard labour, he believed, and who had died for want of food. Now he was desirous of being informed, whether the pauper had really perished for want of food, and whether any inquiry had been made upon the subject?

Mr. *Lamb* said, an inquiry into the circumstances had been made at the Home-office, and it was believed that the pauper had died of starvation, but no fault was to be attributed to the parish authorities, for no application for relief had been made by him. With respect to the man being committed for hard labour, he believed that was not the fact, and that he was properly taken care of at the House of Correction.

The House resolved itself into a Committee.

Lord *Althorp*, on the clause empowering a majority of the rate-payers to insist upon the Bill's being adopted in their parish, being read, moved, as an amendment, that instead of "a majority," it should be necessary that at least two-thirds of the parishioners should sign the requisition for the Bill being adopted, before it became imperative on the parochial authorities to introduce it. His object in moving this Amendment, was to guard against a too rapid change in existing parochial institutions.

Sir *John Hobhouse* felt himself placed in a situation of great difficulty by the noble Lord's Amendment. He was thankful to Ministers for their support of the Bill, and was anxious to retain it, but could not accede to the Amendment, without materially marring his measure, and creating great dissatisfaction, not only in the minds of the inhabitants of Westminster, but of the adjacent parishes. The result of an extensive inquiry was, that it would be practicably impossible to obtain the signatures of two-thirds of the inhabitants to any single requisition, or in favour of almost any single measure, so that, to all intents and purposes, the Bill would be defeated by the Amendment, should the noble Lord press it earnestly to a division. Indeed, if he could act up to the extent of his own wishes, he would make the adoption of the Bill imperative on every parish, as the best, indeed only, means of putting an end to that dissatisfaction and annoyance which the close vestry system had generated in every parish in which it unfortunately existed; and had only adopted the present middle course with a view to reconcile all parties to its provisions.

Mr. *John Campbell* considered the close vestry system detestable. That system was like the Town Councils of Scotland; the members elected themselves. This species of management gave rise to all sorts of jobbing. He therefore hoped the Committee would give every facility to correct these abuses. It had been asserted that the Select Vestry system existed many centuries ago, and could be traced to the reign of Richard 1st. This, however, was not the fact, for it had not existed beyond 200 or 300 years. Not only jobs and extravagant expenditure were to be traced to close vestries; but numerous complaints of the parishioners, who, not knowing what was done, and seeing none of the operations of the vestry but the demands for money were generally discontented. He hoped that the Bill would be passed.

Lord *Althorp* said, that no man could object more than he did to close vestries; but he must say (and he was of the Committee with his hon. friend, the member for Westminster, when that fact was stated which he was about to mention), that evidence was offered, showing, in one instance, that the close vestry acted well. He certainly did think it advantageous to have a considerable majority of the parishioners in favour of the adoption of the Bill before the Bill could be received by that parish, and he thought the number which he had stated a fair one. He had supported the Reform Bill, because he believed that at least there was a majority of two-thirds of the population in its favour.

Mr. *Hume* said, that the people were anxiously watching the Vestry Bill. He could assure the House, that it caused a great sensation among the people, more than any other subject except the Reform Bill itself. He knew that the people were satisfied with the Bill as it now stood, and he begged to suggest to the noble Lord the propriety of allowing the clause to remain as at present it appeared upon the Bill.

Mr. *Protheroe* said, he was in favour of the clause as it now stood, and hoped that the noble Lord would not press his amendment. He condemned the system of close or select vestries, and likened them, especially in the small parishes of large and ancient cities and towns, to the rotten boroughs. He doubted much whether two-thirds of the inhabitants in those parishes to which he had made allusion dare oppose the select vestries, considering that the members of those select vestries were men, generally speaking, of considerable wealth, and very influential in their parishes.

Mr. *Hunt* doubted whether, upon any subject, two-thirds of the householders could be brought to agree together. If it were necessary that two-thirds of that House must agree upon any subject, he begged to inquire how often the noble Lord would obtain the necessary majority. With respect therefore, to the proposition made by the noble Lord, if it were adopted, it would assuredly destroy the effect of the Bill. He begged to express a hope that the noble Lord would not press the Amendment.

Lord *Althorp* certainly thought his amendment an improvement to the Bill, as it would tend to prevent the hasty introduction of a change of system, but as he was a decided friend to the principle of the Bill, he would not press his amendment against the sense of the Committee.

Mr. *Estcourt* regretted that the noble Lord was so ready to withdraw his amendment. He had attended the Committee on this subject, and thought that it was agreed to there, that something more than a majority should be required, to change the system of management in any parish. He thought, as the proposition was a new one, that the Committee ought not at once to proceed to the whole length proposed by the hon. Baronet.

Mr. *George Robinson* wished the clause to stand as it was. The noble Lord's amendment was, in fact, that a minority of one-third should bind a majority.

Mr. *John Campbell* said, the Bill would not apply to parishes under the common law; it was only intended to apply to parishes in which a usurpation had taken place; and he was decidedly of opinion that a minority should not bind a majority in such parishes.

Mr. *Byng* said, it was an unfortunate truth, that Governments never would reform themselves, and this rule held good with Select Vestries. Had the Bill passed last year, the parishes would have been in general satisfied, that persons rated at 25*l.* and upwards should have a vote; but now it was necessary to extend that right to all rate-payers.

Mr. *Lamb* wished that the Bill should be carried with the consent of the whole House; but at the same time he thought the Amendment ought to be agreed to. He did not, however, wish to press it, as his noble friend was willing to withdraw it. He thought it indeed too much, that the management of a parish should be altered by a mere majority of one. If, therefore, the Amendment were persisted in, he should give his support to it.

Mr. *John Wood* said, that if the hon. Member wished to see the Bill passed with the support of the House, and if he wished to pacify the people, he would not support the Amendment. The clause under consideration was only a preliminary measure to having the Act introduced into any parish, and did not imply an alteration in the parish management.

Lord *Althorp* said, he only proposed to withdraw his amendment from supposing the Committee were against it, but if it were the pleasure of the Committee to support his amendment, he would not withdraw it. He was in favour of all rate-payers having a vote, but considering the property at stake in large parishes, he thought the mere majority ought not to decide.

Sir *Charles Wetherell* would certainly support the Amendment. Property as well as numbers ought to be represented in parishes as well as in the Parliament.

Mr. *Protheroe* said, it was possible that in small parishes the parish funds might be appropriated to electioneering purposes, by the select vestries. He suspected this might be the case in the city he had the honour to represent. Whether a simple majority or two-thirds of the rate-payers were to have the control was indifferent to him, as long as the whole measure was carried, and an end put to the abominable system of select vestries.

Sir *John Hobhouse* said, that the Bill did not alter the constitution of any parish. The original Bill did, but the present Bill was not like the original measure. The change would be a gradual one. The old vestry would only go out by thirds, some of them remaining in office, therefore, four years after the Bill was passed. If he thought the Bill would affect property, he would not on any account have brought it forward. They were all interested in protecting property. All that he wished was, that those who had to pay the rates should have the control of the expenditure of them.

Mr. *Cutlar Fergusson* hoped the Committee would agree that two-thirds should not be required, and would reject the Amendment. He believed it was notorious, that the greater number of persons possessing property were against the Select Vestry system in their respective parishes. If the Committee divided he would support his hon. friend.

Sir *George Warrender* said, he had known property out-voted by rate-payers, and he concurred in the Amendment most cordially.

Sir *Charles Forbes* opposed the principle of the measure; it was the first step towards universal suffrage; and he had no doubt it would create great confusion in such parishes as adopted it. Its effects would be, to take the management of parishes out of the hands of the chief owners of property, and give the control to those who were probably not rated at one-tenth of the amount. He had a petition which he was looking for an opportunity to present, from several of the Vestrymen of St. Pancras, who, he was fully satisfied, had done their duty in an exemplary manner. He feared the proposed system would be found impracticable. They were attempting to introduce a measure which would not work well, but from which, when once adopted, they would find it impossible to recede; he should support the Amendment, although he did not think that it was what it ought to be; still it was better than a simple majority.

Sir *Richard Vyvyan* was quite prepared to admit that the system of select vestries required amendment. In his opinion, and he had long entertained it, the whole of those who paid rates were entitled to vote in the selection of those who were to have the power of expending them. Entertaining such a view of the case, it was a matter of indifference to him whether the Bill was to be adopted in a parish by a bare majority, or as the noble Lord (Althorp) proposed, by two-thirds of the rate-payers, and on that point, therefore, he had no objection to go along with the noble Lord. The question, however, of the proportion of votes to be given for the protection of property, was a distinct one, and entitled to much more serious consideration. For his part, he approved much of that part of the bill of Mr. Sturges Bourne, which gave to the extent of six votes in proportion to property, as a protection to the great rate-payers, and for the purpose of preventing their being overpowered by the smaller rate-payers, who contributed but a small proportion of the money to be expended. For the present, he would support the Bill, but he hoped to see some of its provisions modified before it passed the Committee.

Colonel *Lindsay* said, the principle of the Bill was, that all rate-payers should be on an equality; it was therefore obvious property could have no great influence. With the exception of the Reform Bill, he considered this the most important measure that had been before the House for some time; as it would give to a majority of the rate-payers, without reference to property, the controlling power over the funds of the parish.

The Committee divided on the amendment: Ayes 67; Noes 37—Majority 30.

Sir Francis Burdett, Lord Althorp, Sir John Hobhouse, Colonel Lindsay, Mr. Hume, and others afterwards engaged in a conversation on the subject of the division, and it was at length agreed, that the clause should be again amended, substituting the consent of three-fifths of the rate-payers before the provisions of the Bill could be introduced into a parish, instead of two-thirds, as proposed by Lord Althorp.

Sir *Richard Vyvyan* subsequently moved, as an amendment, that the parishioners were to have votes according to their property, to the extent of six votes, in the same manner as it was prescribed by the bill ofMr. Sturges Bourne.

Sir *John Hobhouse* reminded the hon. Baronet, that his constituents had rejected the Bill before, in consequence of its containing a clause of that kind, and he should most assuredly oppose such an amendment, by every means in his power.

Mr. *Hume* hoped the hon. Baronet would withdraw his proposition, particularly as he expected to satisfy the hon. Baronet that it was unnecessary, by shewing him, that 5*s*. paid in rates by a poor man, was of more importance to him than twenty times that sum paid by the rich. On this point the Magistrates were all agreed. The smaller householders ought to have some control over the funds of a parish, as they were so much interested in taking care of them. Another thing was, the poor generally attended in person, while the rich rarely did so, and left their votes at the disposal of some proxy or agent. On this ground alone he was prepared to oppose cumulative votes.

Sir *Richard Vyvyan* said, that he should postpone his proposition till the bringing up of the Report, and in the meantime give it further consideration.

Amendment withdrawn.

On the clause that the Vestry be composed of resident householders, not less than twelve, or more than 120,

Mr. *Hume* said, he had great doubts of the propriety of allowing a Vestry to consist of so many persons; the consequence would probably be, that each would trust to the other, and the business be generally transacted by certain parties who would benefit by it.

Sir *John Hobhouse* said, that the numbers proposed were not fixed by him; he wished them to be less, but there had been such a difference of opinion in the Committee, and so many objections made, that they were compelled to come to a sort of compromise.

Clause agreed to.

On the clause as to the qualification of Vestrymen,

Mr. *William Miles* said, in his opinion the qualification was too low; he wished it to be at least 20*l*., and he knew the members for Bristol had been applied to, to support such an amount.

Sir *John Hobhouse* said, he was an enemy to any amount of qualification, on the principle that the parishioners themselves were the best judges of whom they would select; but as it was rather a delicate thing, he had yielded his own opinion to the sense of the Committee. He saw no reason why a 20*l*. qualification should be especially wanted in Bristol. Could the hon. member for New Romney imagine that the rate-payers would choose persons unfit for office?

Mr. *Protheroe* said, as one of the members for Bristol, he had not been aware that his constituents desired the species of qualification advocated by the hon. Member; on the contrary, from the returns of several parishes, he believed it could not be applicable, for there were in them not enough persons rated above that amount to form a vestry. It was absurd to suppose that parishes were not sufficiently alive to their own interests, to select proper candidates, and many persons from the spread of education, were equal to the situation, although they might dwell in houses of small value.

Clause agreed to.

On the next clause being read,

Mr. *Protheroe* said, he wished to have an amendment applied to the clause, to the effect that particular Local Acts relating to Bristol should be untouched by its operation.

Mr. *Hume* had also two amendments to suggest to this clause; the first was, that the numbers of a vestry to be a quorum, should bear some proportion to the number of vestrymen; for instance, where the number was thirty-six, they provided that nine, or one-fourth, should be the quorum, but that number was not increased when the number of the vestry was 120; he would therefore suggest, that where the number was above thirty-six, one-fifth ought to be present to enable them to act. The other amendment he wished to propose was, to insert a provision in the clause, to make it imperative that the proceedings of one meeting should be sanctioned by the next, before they became final.

Colonel *Lindsay* considered the suggestions of the hon. member for Middlesex an improvement, and he begged leave to second them.

Sir *John Hobhouse* said, the check of the popular voice prevented the necessity of fixing the number of the quorum at more than nine, and that number had been adopted from the difficulty of procuring the attendance of a larger number; but as under this Act it was probable the parishioners would select only such persons as would attend, he could have no objection to an increase of their number. With respect to the other suggestion of the hon. Member it was quite usual at present that the proceedings of one parish meeting should be sanctioned by the next, and no doubt the same forms would be continued; but it probably might be as well to insert a proviso in the clause to effect that object. As to the amendment proposed by the hon. member for Bristol, the Act only affected all other Acts so far as they related to the constitution of vestries.

A Proviso added, and clause agreed to.

The other clauses of the Bill were also agreed to.

Mr. *William Miles* said, he had been requested by a Select Vestry in Bristol to move the insertion of a clause, providing that nothing in this Bill should interfere with the rights of Select Vestries over charitable bequests. The hon. Gentleman therefore proposed the following words should be introduced.—" To exempt such Select Vestries as have alone control over Church Charities from the operation of this Act, due provision being made for the annual publication of Accounts."

Mr. *Protheroe* opposed the introduction of such a clause, and stated that the opinions of the people of Bristol in general were favourable to the Bill as originally brought forward by the hon. Baronet, the member for Westminster. Indeed, the fact that this proviso came recommended by a Gentleman who was not regularly connected with that city, sufficiently proved that the majority of the inhabitants would be adverse to its adoption.

Sir *Charles Wetherell* observed, that the hon. Baronet might accede to the proposition of his hon. friend, the member for New Romney, if he deemed it otherwise unobjectionable, as it would not in any degree impair the principle of the Bill.

Sir *John Hobhouse* thought the Select Vestry unfit to be trusted with the distribution of the funds of charitable institutions, and had reason to believe that the people of Bristol particularly desired to be included under the operation of the measure. He therefore could not consent to comply with the request of the hon. Member opposite.

Mr. Miles withdrew the Motion.

Sir *Charles Wetherell* said, that a statement had been made on a former occasion, that the Mayoresses of Bristol had misapplied some charitable funds intrusted to their care, and he certainly must attribute to a want of gallantry the fact that no defence had been made for them at the time this statement was made.

Mr. *Protheroe* begged it to be understood, that he had never sanctioned any such statement as that now alluded to by the hon. and learned Member, for he well knew the difficulty of ascertaining anything of the facts or records in the archives of the Corporation of Bristol, which he did not believe anybody ever saw except the members of that Corporation. The hon. and learned Member himself was one of them, but he believed that even he was sworn to secresy on the subject.

Mr. *Hunt* said, that in 1812 he presented a petition to that House, on the subject of the Bristol election, and then, by virtue of the Speaker's Warrant, he had enjoyed the privilege of consulting the archives of that city. The use he made of this opportunity was, to satisfy himself of the fact, that the charitable funds intrusted to the Corporation were grossly misapplied, and even the names of the persons who had so misapplied them were registered in the Records. The mode in which they were expended was, by applying them to election instead of charitable purposes; and that to which he more particularly alluded was the Lying-in Charity, which was under the direction of the Mayoresses of Bristol, who, out of a population of 90,000 persons, could not find sixty poor lying-in women who were fit objects for the charitable donation of 2*l.* a-piece, but these Mayoresses, forsooth, must go and apply that fund, which ought to have been sacred, to election purposes. For years past one of the Members of the city of Bristol had been mainly returned by the misapplication of those funds over and over again, and yet one of the hon. Members, when examined before the Committee on Charities up-stairs, declared that those of the city of Bristol were well applied.

Sir *Charles Wetherell* indignantly repelled the accusation, and said, he had no doubt if the hon. member for Preston had fully inspected the accounts, he would have found that the balance of the sum not distributed within the year was carried forward to be distributed by the next Lady Mayoress.

Mr. *Hunt* was ready to repeat his former statement, and insisted that the funds had not been properly appropriated, and that they had been perverted to electioneering purposes by the Mayoresses to whom their distribution had been intrusted.

The House resumed.

Game Bill.] The Order of the Day for considering the Lords' Amendments to the Game Bill was read.

The *Speaker* acquainted the House that he had examined the Amendments, and that he considered they fell completely under the Resolution of the House, made at the beginning of the Session, respecting interference in money clauses, as affecting the privileges of the House.

Lord *Althorp* said, that although he was sensible the Amendments which had been made in the other House had not improved the Bill, yet as the main principles remained in the Bill as it had been sent from this House, it was most desirable that the Amendments should be agreed to. He hoped, therefore, although some Gentlemen might, like himself, dislike these Amendments, yet, as it was a great point gained to get rid of the anomalies in the existing law, that they would agree to the Amendment, and without delay, as the Bill was intended to take effect on the 1st of November. Considering the state of the law at present, and the advantage gained by the Bill even as it now stood, and that when the principle was once adopted by the Legislature, it could not be receded from, although it might be improved, he trusted the Amendments would not be rejected.

Mr. Serjeant *Wilde* admitted the justice of the noble Lord's remarks. At the same time, he thought the House ought to be aware of the nature of some of the alterations which had been made in the Bill, and which, to his astonishment, considering the place where they originated, invaded the rights of property. By one of the Amendments, proprietors of land were not only authorized to enter upon the premises of a lessee for life, but to appoint other persons who could do the same; and this was not all, for the occupant was deprived of the right he now possessed, and was not permitted to kill game on his own land, unless a stipulation to that effect was inserted in his lease, which, as it was not necessary under the existing law, would not, of course, be found there.

Mr. *Hunt* had disliked the Bill at first, and he did not think the Amendments of the Lords had produced the slightest degree of improvement in it. He particularly objected to the clause respecting night-poaching, in which the penalties, which were severe enough at first, had been still further increased, and he should take the sense of the House on the clause.

Mr. *John Campbell* considered, that though the Bill was a much better Bill as it formerly stood, still it was better than the old law, and was a great boon. He thought his hon. and learned friend was in some degree mistaken respecting the clause giving proprietors and their appointees the right of entering and sporting upon the land of a lessee for life, and excluding the occupant, because, if he paid a fine on renewal, which is usual, the occupant retained his right. He hoped that the consent of the Lords to this Bill was a presage of their intentions in respect to another Bill, and if no more serious Amendments were made in it, he should be content.

Mr. *Hume* would submit to the House, whether, after what had been stated by the hon. and learned Gentleman (Mr. Serjeant Wilde), the Commons of England were authorized to pass a Bill which interfered with private rights of property. He doubted whether it would not be better to reject the Bill altogether, and trust to another year. It was nothing less than robbing people of their rights. The Peers of England ought to be the last persons to set an example of taking away private property. If they began with spoliation, and he did think this was a spoliation, let them not complain if it reached themselves.

Mr. *Paget* said, he was decidedly opposed to the Amendments that had been introduced, but as the other provisions of the Bill would materially improve the existing laws, he should be ready to support the views of the noble Lord if the question came to a division.

Mr. *Hunt* said, his principal objection was, to the severe penalties for night-poaching, and however beneficial the other parts of the measure might be, he thought it his duty to take the sense of the House upon them.

Question put on the first Amendment, "That this House doth agree with the Lords in the said Amendments." The House divided:—Ayes 67; Noes 3—Majority 64.

List of the Noes.

Bulwer, Henry L.
Paget, T.
Wood, J.

TELLERS.
Hume, J.
Hunt, H.

Mr. *Hume* said, that after the division which had just taken place, he should not think of pressing his opposition to the Lords' Amendments to a division.

Sir *Edward Sugden* did not intend to follow the example of the hon. Member, for he thought the clause relating to tenants for life so objectionable, that he should divide the House upon it. The change effected by that clause was too great to be permitted.

Lord *Althorp* said, that the change was not so great as the hon. and learned Member seemed to imagine. He trusted that the Bill would not be objected to on account of the Amendments of the Lords, for, upon the fate of those Amendments the fate of the Bill might depend; for if these Amendments were not adopted, the Bill would not pass.

Sir *Edward Sugden* said, if that was the case, as he considered the principle of the Bill to be good, although he strongly objected to a clause which drew so odious a distinction between landlord and tenant, he would not press his Amendment.

The Amendments of the Lords agreed to.

Relief to the West Indies.] Upon the Motion of Lord Althorp, that the Chairman leave the Chair for the purpose of going into a Committee of Supply.

Mr. *Keith Douglas* took that opportunity of putting a question to the noble Lord, as to what were the intentions of Government, with respect to the measure of relief contemplated to be submitted to the Committee on the state and condition of the West-Indian interests. It was very desirable to obtain some more specific explanation, how far it was the intention of Government to attempt an improvement of the condition of that important interest in the State. If Government had, as he hoped, made up its mind as to the kind of relief it should afford, and only wished, through the Committee, to have its hand strengthened, and its judgment directed and informed by practical men, he believed considerable benefit would result from the meditated inquiry.

Lord *Althorp* remarked, that the course pursued by the hon. Member, in putting a question to a Minister, as to what was the intention of Government in instituting an inquiry of which it had only given notice in the House, was, to say the least of it, very unusual, if not inconvenient. More particularly was it unusual to do so on a Motion for the House going into a Committee of Supply All this, however, he should waive, and so far give the explanation sought, as to say, that it was the intention of Government to institute an inquiry into the causes of the present difficulties and distress experienced by the West-Indian interest, and the next object was, to devise the measures of relief which might safely be applied to relieve those distresses and embarrassments. But it was not intended by Government to enter at all into the question of slavery as between master and slave. As to the remedy, it was, as far as respected Ministers, a subject of inquiry; and they naturally wished, through the Committee, to obtain from the representations of well qualified, and even personally interested persons in that class of society, every possible information on a subject, which must be to them of the last importance.

Mr. *Burge* objected to an inquiry of so wide and general a nature. In his opinion, such an inquiry was instituted for the purpose of protracting the period of relief. Such an inquiry was not necessary; the distress was known, the causes of the distress were known; and the remedy had already been pointed out to the Government. Now that he had the opportunity, he wished to ask the noble Lord, whether the Government had received any information of the misfortune that had befallen Barbadoes; and whether the noble Lord had any reason to doubt the extent of the visitation to which that island had been subjected? When a similar misfortune happened to one of the West-India Islands in 1780, the Government of that day thought it expedient and just to take some measures for the relief of the sufferers: he wished to know whether the Government of this day intended to follow the same course, and what measures they proposed to adopt.

Lord *Althorp* said, that the Government had received no information relative to the misfortune alluded to, direct from the colony itself. There had been a correspondence, which tended to confirm the statements already published, and to show that the accounts in the papers were correct; but there had been no information received by the Government, which they could properly call official. Until that arrived, it was, of course, impossible for him to answer the second part of the hon. Member's question.

BANKRUPTCY COURT BILL.] Sir *Charles Wetherell* wished to ask the noble Lord, whether it was the intention of the Government to proceed with the reading of this Bill a second time this evening? He put the question, because, as he had only received the Bill, as printed by this House, in the course of the day, he was not prepared for the discussion.

Sir *Edward Sugden* said, that the Bill as now printed, was not put into his hands until twelve o'clock this day. After so short a notice, nobody could be prepared for the discussion; and if the discussion came on this evening, the Government would have it all to themselves, and perhaps that was the object in view.

The *Attorney General* thought he should be able to explain the matter.

Sir *Edward Sugden*: Then it is the intention of the Government to persevere.

The *Attorney General* replied in the affirmative.

Sir *Charles Wetherell* then gave notice, that if such was their intention, he would use every mode, consistent with the rules of the House, to oppose the Bill, and he would use them in all the different stages of the Bill.

SUPPLY—PENSIONS ON THE CIVIL LIST.] The House went into a Committee of Supply.

Mr. *Spring Rice* moved, that a sum of 120,000*l.* be granted to his Majesty, to defray the expenses of the current quarter, for Pensions, Salaries, Allowances, &c., for Ireland and Scotland, formerly paid out of the Civil List. He begged to observe, that this Motion was founded upon former Estimates; but that inquiries into these pensions were going on in the Committee; and he believed that all the members of the Committee would do the Ministers the justice to say, that they did not shrink from giving all the information in their power, but afforded it most readily, and manifested the sincerest wish that every possible economy should be adopted. The vote he now proposed to take, would discharge the salaries and pensions up to the 10th of October, and in the course of the ensuing week, he trusted the Committee would obtain the information required, which merely related to minute points; but which on that account was more difficult to be obtained, and had hitherto prevented them from terminating their labours.

Mr. *Hume* confirmed the statement just made, as to the conduct of the Ministers in the Committee, and said it would not be proper longer to postpone the present vote.

Mr. *Courtenay* said, as the Civil Service must be provided for, the present vote could not be objected to, but he hoped some permanent mode of providing for these expenses would be speedily adopted: the system of voting quarterly sums was most objectionable.

Mr. *Maberly* said, they could make no permanent settlement while inquiries were going forward on a given subject: when the Committee had completed its labours, he had no doubt a satisfactory arrangement would be made.

The vote was agreed to.

SUPPLY — CLARENCE YARD.] Sir *James Graham* said, he had now to propose a vote for a small sum of money, to supply a deficiency in one of the Estimates connected with the Naval Service. The sum he should ask for was inconsiderable, but the principle involved in the grant was important. It had been the practice in the Victualling and Navy Boards to consider the sums voted for each branch of the Naval Services as applicable to all the votes contained in the Naval Estimates. That practice had been condemned in that House, and when he first undertook the duties of the office which he now held, he determined to prevent its continuance. Orders were, therefore, issued by the Admiralty to each of the subordinate Boards, to furnish them with an estimate of the money required for each head of service, and on no account to allow the sum expended to exceed the amount of the estimate. The specific deficiency for which he now asked a particular vote had arisen since that time, and could easily have been supplied in the manner in which such deficiencies were formerly supplied; but to have adopted that course would have been to depart from his own principle, and he chose rather to come down to the House, state the deficiency, and ask for a vote to supply it. The system of accounts at the Victualling Board was not a correct one. That Board was at once a Board of Account and a Board of Audit. That was an evil to which Government had directed its attention, and he was a member of the Commission created for that purpose, and consisting besides of the Chancellor of the Exchequer, the Secretary at War, and the head of the Board of Ordnance, and with that subject was connected that of the Audit of the Exchequer. It was proposed, that in each instance a draft should be sent forth for the particular service for which the sum of money was required; the Exchequer was to examine these drafts. and then it would appear, of the sum voted by Parliament, how much had been appropriated; and if there was any excess, the Exchequer should stop it in the amount of the draft. Still more to further this object, the Admiralty had called on the Navy and Victualling Boards to furnish monthly accounts of the sums supplied and paid, so that the Admiralty might be able to take care, that there was no excess of expenditure beyond what Parliament had sanctioned, and that no new work was engaged in without the consent of Parliament. The deficiency he now asked Parliament to supply, arose partly from the imperfect estimates of the architect, and partly from the mode of forming the estimates, by which the annual sum appropriated to this particular branch of the service was not sufficient, and the Government had not thought fit to supply the deficiency out of the sum voted for the general Naval Service. The particulars which composed this deficiency, amounting to 27,000*l.*, were these; 6,000*l.* of monies, reserved on outstanding contracts, which ought to have been in the estimates intended to be paid last year; 7,400*l.* for expensive machinery for a bakehouse, at Weovil, ordered, in the first instance, without the authority of Parliament; 4,200*l.*, arising from the failure of a Sea Wall, which, under the superintendence of Sir John Rennie, was now to be erected in a stronger manner, and for the failure of which the contractor was not liable; and 7,000*l.* from the deficiency in the calculation of expenses, from the want of accuracy in the measurement of the wall, and from the badness of its foundation. The right hon. Baronet then moved, that a sum of 27,000*l.* be voted for the Works in the Royal Clarence-yard at Gosport, &c. in addition to the sum voted last year.

Mr. *Hume* said, that under any other circumstances than those mentioned by the right hon. Baronet, he should have objected to the vote without an opportunity of fully examining the whole details. It was much to be regretted that the public service should be conducted in so loose a way as to allow of these deficiencies. He trusted the Committee sitting at present would fully go into all the expenditure connected with the naval service. The subordinate Boards were nearly as expensive as in time of war, and he was convinced that great savings could be made under an improved method of management. Many articles furnished for the naval service could be supplied by contract at a much cheaper rate than they were now obtained. He would instance meat. The cattle were bought in the London market, which was the dearest in the world, and salted at Deptford, instead of the meat being procured in Ireland, where it could be had as good, and at half the cost. He knew a person who would undertake to provide, preserve, deliver, and warrant it good at that rate. Private establishments were competent to provide the necessary articles, and the immense expenditure of the Victualling Office, amounting, he believed to upwards of 1,000,000*l.* sterling, might be greatly reduced. All the supplies for the army were contracted for, but instead of pursuing this plan in the navy, they had recently increased the naval establishments by a baking machinery, which he understood was likely to cost 70,000*l.* for steam-engines to grind flour, and 7,400*l.* for baking biscuits. He should have thought this had been more than sufficient to bake all the bread used in the kingdom. His great desire was, to have all these items of expense clearly explained. He hoped to see accurate accounts of the cost of all kinds of provisions supplied to the navy. He knew the objections to contracts were, that the articles supplied could not be depended on as good; but he thought that difficulty might be overcome by proper care and management.

Sir *James Graham* said, he would reply

to his hon. friend, by showing that his principle could not be carried into effect in all cases, as for example, with an article of the first importance, gunpowder. That had been supplied by contract, but it was found and proved to demonstration, that individuals had the power of keeping up the price of saltpetre and the other materials, so that government had no control over the prices, and the system was found to be so disadvantageous, that it was necessary to make other arrangements. Again with regard to salt provisions, which his hon. friend had asserted could be procured at half their present cost. All he could say was, that the quantity required was thrown open to public competition, and the contract given to the lowest tender. The general rule of supplying articles by contract was adopted with every other article but bread, and that must be made an exception, because it was necessary that it should be made from flour of the best description, or it would not keep in foreign voyages. With regard to the machinery by which it was to be made, it had not been adopted since his accession to office, but he was bound to say, it was of a most ingenious description, was attended by a great saving in manual labour, and produced a very superior article. The Victualling Board would be enabled to supply biscuit in any quantity, and however great the first cost had been, he had no doubt it would cause an ultimate saving.

Mr. *Maberly* said, he fully concurred with regard to the general principles of contracts, as laid down by the hon. member for Middlesex, but there must be exceptions. It was impossible to examine gunpowder with that degree of nicety which it required unless it was manufactured in Government establishments. He knew, with respect to this article, that when the public required large supplies suddenly, the manufacturers had charged their own prices for it. Again, after being some time exposed to the damp of a ship's magazine, it became deficient in strength, and had to undergo a process which was performed in Government establishments, by which it was regenerated. As to the establishments themselves, the great cost had been incurred in creating them, and he apprehended the expense of keeping them up was not of equal importance to their usefulness in insuring the goodness of two such essential articles as bread and gunpowder. Notwithstanding this, however, he was extremely happy to hear the general position laid down, that Government manufactories were inexpedient. He believed and hoped, that considerable savings could be made by consolidating the subordinate naval Boards, particularly the Victualling establishment, which might be reduced to a sort of store department.

Sir *George Cockburn* said, he was glad to hear, that the propriety of supplying certain essential articles from Government establishments was admitted. All who were acquainted with the case knew, that when bread was made of bad flour it soon spoiled, produced disease among the seamen, and consequently, rendered the ships less effective, besides exposing the country to the additional cost of then procuring better. He was sure that in time of war these mills, of the cost of which they had heard so much, would be found of the highest importance. As regarded the cost of meat, it was necessary to have some Government establishment to prevent monopoly, of which an instance occurred about three years ago, when the cost was suddenly raised in Ireland to a great extent on finding, that the public had a necessity for a supply. They were then enabled to procure it at another place, and the consequence was, the price of meat in Ireland had not since been enhanced.

Sir *John Newport* knew, that a monopoly of salt provisions had formerly existed in Ireland; but recently, competition had opened the trade, and he could venture to assert, that any quantity might be procured there at a fair rate.

Mr. *Hume* said, he hoped the right hon. Baronet at the head of the Admiralty would examine into all the expenditure of the subordinate Boards thoroughly. He was convinced the system was erroneous. It would be better to supply all articles by contract, even bread. He was convinced it might be obtained in any quantity, and of good quality, and the same rule would apply also to gunpowder. He should take an opportunity himself of looking into all the circumstances very narrowly, with the hope of being able to reduce some of the Government establishments.

Mr. *Maberly* said, the public establishments were defective in the mode of keeping their accounts. It would be easy to shew the cost of the articles manufactured in such establishments, and by comparing it with contract prices, ascertain the profit or loss.

Vote agreed to.

BANKRUPTCY COURT BILL.] The *Attorney General*, on moving the Order of the Day for the second reading of the Bankruptcy Court Bill, said, that his hon. and learned friends would do themselves the very greatest injustice, if they supposed that there could be the slightest chance of their not fully understanding the principles of the measure; because, undoubtedly, there was no subject that had been more generally considered, or that had been, for a longer period, a topic of universal discussion among those who took an interest in the commercial prosperity of the country, or who had attended to the administration of the law, than the present constitution of our bankruptcy jurisdiction. Certainly, this was any thing rather than a new subject, for it had been frequently brought before that House, and before the public, who had both seen and felt the very great inconveniences which existed in this department of the law. It was now thought absolutely necessary to introduce a remedy capable of being applied to these existing inconveniences. In the year 1817, a very distinguished Member of that House, and of the commercial body of London, Mr. John Smith, procured the appointment of a Committee to inquire into the matters connected with this question. That Committee suggested various alterations in the Bankruptcy laws; but, up to this time, no further step of any importance had been taken. He did not intend to rest anything on his own individual assertion or authority; indeed, the inquiry had been conducted by skill, experience, and judgment, brought to bear directly upon the subject, which rendered it exceedingly easy for him to make out every part of his case, to shew the extent of existing evils, the necessity of an efficient remedy, and the fitness of that which was proposed in the measure now submitted to Parliament. In the year 1817, the Committee had been appointed, and had held its sittings, not only during that, but through the course of the following year, and before whom several gentlemen of great distinction in the Court of Chancery, as well as many most influential bankers, merchants, and traders in the city of London, had been examined, and had given most important testimony. He would first mention Mr. Cullen, a Chancery barrister of high eminence, who had been for more than twenty years a Commissioner of Bankrupts, the author of a valuable legal work on Bankruptcy, and as a barrister constantly attending on the numerous Courts that carried the system into effect. No man ever was more competent to form a judgment upon its merits. He now begged permission to read to the House the judgment that had been formed by that gentleman, in the very language that he himself had addressed to the Committee.—'The Bankruptcy-law was introduced (says Mr. Cullen) with a view 'to prevent and punish the frauds of 'debtors, and to distribute their property 'equally amongst all their creditors, but 'it has not succeeded; and however wise 'the original plan may have been thought, 'yet it does not now, even with all its 'subsequent alterations and accessions, 'appear to effect either of the objects 'which it professed; the property is not 'forthcoming, or it is wasted: the same 'frauds still exist, neither diminished nor 'punished, and a new class has sprung 'up, engendered by the very proceedings 'which have been instituted to prevent 'them; so that the prominent and growing evil of the present day with respect 'to debtor and creditor, appears to be the 'Bankrupt-law itself.' He (Mr. Cullen) was far from being singular in the view he took of this question, the opinion of the commercial world, and of almost all who stood in the situation either of debtor or creditor, confirming that of the professional inquirers who had made this law their study. It appeared, upon the evidence of almost all the commercial men who were examined before that Committee, that scarcely any alternative could be conceived, which would not by them be preferred to the benefits tendered by a Commission. One witness stated, that a compromise for 2*s*. 6*d*. in the pound was thought better, in the great majority of cases, than taking the chance of a larger dividend under a Commission; and that traders would most reluctantly trust to a Commission whenever the smallest dividend could be secured without it. To this effect he cited the evidence of several commercial witnesses examined before the Commission. This Committee, having sat for some time, made a report in the year 1818; and he would call the attention of the House to the defects which they proposed to remedy. The first defect proved by all the witnesses was the nature of the Commission itself, and the Commissioners to whom it was directed, who were called upon to act judicially, and to perform the most important and most onerous duties with which Judges can be intrusted. Now Mr. Cullen was again examined in the course of that year, and he then particularly stated the defective position in which he found the law; he said, that 'the points 'which appear particularly to me to require 'alteration, are—first, the constitution of 'the Court of Commissioners, and secondly, 'the expense which must be incurred.' He then proceeded to remark upon the duties of the Commissioners, and the nature of their offices. He said, 'We are' (for he was one) 'seventy Judges, distri- 'buted into fourteen Courts, or Lists, as we 'are called, of five in each.' He preferred going back to the statements of a gentleman who expressed his opinions upon this subject so long ago, because it would satisfy the House that these evils had existed for a great number of years, and that there was, therefore, a still greater necessity for the amendment of the system which was now proposed. Mr. Cullen observed, 'Each list is perfectly unconnected with, 'and independent of, the rest. There is 'no uniformity, no consistency of deter- 'mination. The suitor has no certainty; 'he finds one law and practice in one list, 'and another in another; he finds every- 'thing is to be argued upon first principles. 'Precedent has no binding force upon us, 'and is, therefore, of no authority; we are 'not very much disposed to listen to it; 'we are apt rather to assert our independ- 'ence, and to vindicate our right to be 'governed by our own knowledge. This 'seems to be the natural consequence of 'independent jurisdictions. We are all 'supreme.' He further observed upon the difficulty of procuring a proper attendance:—'Any three out of the five in 'each list being required to attend, the 'suitor is exposed, even in the same Court, 'to a perpetual change of the Judge; and 'this, not only from one meeting to an- 'other, but even in the course of the 'same meeting. We assemble under a 'number—sometimes a great number—of 'different Commissions at once; our at- 'tention is solicited at one and the same 'moment by many suitors, all equally 'pressing, and entitled to decision and 'despatch upon their respective cases; 'and these often involving many nice 'questions of fact and considerations of 'law. One party gains the attention of a 'Commissioner; he is instantly broken in 'upon by another party, perhaps by an- 'other Commissioner; the half-heard case 'must be repeated, and the second Judge 'soon, in like manner, gives way to a 'third; and so the case, taken up by one 'after another, returns, perhaps, upon its 'steps, till after having, as it were, circu- 'lated through the list, amid the eternal 'interruption of one Commission by other 'business; of each other by each other; 'and all by the public; it remains finally 'undetermined, unless the suitor, or his 'counsel or solicitor, undertakes the invi- 'dious task of asserting his right to the 'combined attention of three Commis- 'sioners, if three fortunately happen to be 'present.' Again he said, 'instead of so 'many lists, there ought to be but one, 'who, sitting in public or private, as occa- 'sion might require, would discharge the 'business which is done, or rather not done, 'under the present system.' Here this gentleman pointed out the nature of the jurisdiction, and the impossibility of the Commissioners proceeding to give their undivided attention to the business before them, and of their getting properly through the multiplicity of matters which were unfortunately brought under their consideration, the effect of which was, the entailing of delay and expense upon the parties, to an extent that would hardly be believed. Other witnesses before the same Committee stated the same facts. They said that counsel were heard at great length on any point they might think proper to urge, and if (as it was frequently found) the creditor did not quit the Court in disgust, and abandon the inquiry, the waste of time was enormous; the cost of pursuing his claim fell heavily on the creditor, and the bankrupt's estate was plundered in the process. There was another gentleman, of the greatest experience and ability, who gave evidence in language which very much corresponded with Mr. Cullen's. Mr. Basil Montagu was a barrister of the highest celebrity for many talents and attainments, but he had devoted by far the largest share of attention to the Bankrupt-laws, and no man had had so much practical experience in this branch of the profession. His suggestion was:—'That 'all the duties now discharged by the 'seventy Commissioners should hereafter 'be transacted by a much smaller number

'—say six; and that one should be 'a quorum, so that the business should 'never stand still, the evils attendant 'upon delay being very great.' This gentleman stated several cases, in which delay had produced the utmost inconvenience and loss, one in particular, in which it was necessary to go down into the country for the Lord Chancellor, in order that he might sign the Commission within a certain time, and the interval had been most injurious to the creditors. To shew how the system worked, he would mention some facts stated to him, on authority fully to be relied on. The House was probably aware, that one of the first duties of the Commissioners was, to open the Commission on the application of the petitioning creditor, and they were then to receive the statements of parties who were desirous of proving debts under the Commission. It was impossible, in both points of view, to conceive any tribunal less able to do justice than that which now existed; the consequence frequently was, that the petitioning creditor's debt was proved, but disputed, and the mere dispute, however groundless, produced long years of ruinous delay. He would state to the House the case of Mr. Bartholomew Thomas, which turned upon the validity of an instrument:—the question was, whether he was a bankrupt or not; a question that might be tried before a great many tribunals, and if it should so happen that any of the necessary ingredients for constituting a good commission were wanting, all that was done was perfectly illegal, and might be made the subject of actions of trespass or trover. In order to try this question, which again depended on another—whether the petitioning creditor's debt was good or not, various actions were brought. The issue turned upon apparently a very simple point of law, as to the construction which ought to be given to a written agreement. Various Courts of Law successively decided that this was a good debt, but the case went into the Court of Chancery, and was tried before the Lord Chancellor of that time, who said that, however good the debt might be at law, it was null and void in equity; that the commission could not be supported, and must be superseded. This was one of those cases in which, after great delay had taken place, and enormous expense had been incurred, one Court reversed the decision of others before which the case had been tried. It never could be right, that one jurisdiction should have the power of sanctioning the debt as perfectly good, and all that had been done as legal; yet that another Court should be able to deal differently with the very same subject matter, and undo all that had been effected by an equally competent authority. He would beg the House to reflect for one moment upon the unfortunate situation in which a trader was placed, when he was in such circumstances as these. Mr. Bartholomew Thomas resided at Devonport, and had been in possession of a tolerably extensive business. What was the situation in which he was placed pending these proceedings? Besides enduring for years the utmost anxiety, suspense, and delay; he knew not the nature of his own situation in the world; he could neither go on with his business, nor leave it off, with any prospect but ruin; for though he had no other dependence, that necessarily failed him, when he could neither have credit to buy, nor legal power to sell. He would refer the House to another case of a disputed commission—the case of Mr. Martin Thomas, who was an attorney. This commission was ultimately held to be a good one; the proceedings, however, were, of course, suspended until its validity was ascertained. It was not established until after long delay, many years, and, when it was at length decided, the barren sentence was all that could be obtained; the assignees, debtors, creditors, and all the parties had disappeared:—some were dead, the rest could not be found; not a single party interested could be discovered, and there was not one single farthing to be divided, the whole proceeds of the estate having evaporated in litigation. He would call to the recollection of Gentlemen, a case of very recent occurrence, and one of great magnitude, which would shew, in a remarkable manner, the ruinous consequences that resulted from the present state of the law, to all parties, except, indeed, some members of the profession to which he belonged. He spoke of the commission taken out against Mr. Chambers, the banker. That commission was considered to be a perfectly good one; it was acted upon by the parties for no less a period than five years; it was tried in the Courts of Law, and its validity was always established; goods were seized under its authority by the Sheriffs of almost all the counties in England, who, as the House might know, were bound to keep them, at their own risk, until the final decision of the commission's validity; and yet, after all these proceedings—after having been tried by the Courts of Law, and having been established—when the case was tried on a late occasion in the Court of Exchequer, the Jury differed from the decisions of all the tribunals by whom the case had been previously tried; and, as far as their verdict could go, upset the commission. The Court had, indeed, decided that a rule for a new trial should be granted; but the ultimate issue is held in uncertainty, and a new and long delay must arise. The interests of all parties concerned were most materially injured during the lapse of time; various alterations occurred in the circumstances of most of them—bankers and assignees failed with assets in their hands—parties died—their representatives succeed to law-suits, in utter ignorance of their actual situation. He might mention several other cases of this description; but he was not disposed to trouble the House unnecessarily. He would proceed now to advert to cases of a different description, in which the creditor desired to prove under the commission, debts of which the bankrupt either denied the existence, or alleged that they had been discharged. In the year 1816, in a case "*ex parte* M'Donald in the matter of Carter," a petition was presented, praying that a debt of 4,000*l.* might be expunged; that petition was referred by the Vice-Chancellor to the Commissioners, who held, upon that inquiry, no less than five and twenty sittings. In January, 1821, the Commissioners, after these five and twenty meetings, determined that it was no debt. Afterwards, however, cross petitions were presented to the Vice-Chancellor, complaining of the Commissioners' report; and in March, 1822, he, the Vice-Chancellor, did that which, if it had been done at the outset, would have saved an immensity of expense and delay—he directed an issue to be tried by a Jury under the direction of a learned Judge presiding in a Court of Law. An appeal was lodged against this order, but it was not until April, 1827—five years after this issue was directed—that the appeal was heard by the Lord Chancellor. The hearing took place, the case was considered, judgment had been promised, and postponed several times, when, in consequence of a change of Ministers, my Lord Eldon resigned the Seals. The case, therefore, remained undecided when my Lord Eldon left office. The parties thereupon pursued a course which was not at all of unusual occurrence: they preferred having their case decided by the former Lord Chancellor, who had heard it argued, to the delay and inconvenience of beginning again, and bringing it under the consideration of a new Court. They, therefore, applied to Lord Eldon to decide the case, all parties agreeing to be bound by his decision. Lord Eldon was good enough to undertake this office; but it was not until the month of January in the present year that he made an order, reversing all that had been done in all the other Courts in every form or stage of the proceedings. He had doubtless reversed it very properly, but the costs incurred amounted to upwards of 2,000*l.*; and the whole amount of assets at the conclusion of the cause did not exceed 300*l.* Those funds which ought to have paid the just debts of the creditors, and might have left a decent surplus for the bankrupt—if a proper Court had existed for the trial of the case in the first instance—were frittered away, and absorbed in fifteen years of destructive litigation. Mr. Montagu informed another Committee, that sat on a different occasion, of a transaction of the same kind. A debt was admitted as good, but the commission was superseded, and the proof was to be renewed before a second commission. There it was disallowed: a third commission was dated the 4th of March, 1821; and no less than seventeen examinations took place. On the 9th of November, 1821, a petition was presented to have the debt allowed; and on the 22nd of December it was heard, when the Vice-Chancellor, before whom it was argued, was strongly disposed to send it at once to a Jury. The parties, however, insisted on having his judgment, which he accordingly gave, against the debt, with leave to the parties to have an issue if they thought proper. That issue was tried in December, 1822; a rule for a new trial was granted in February, 1823; and then, nearly two years afterwards, in December, 1825, the cause stood for a new trial. This new trial never came on; but on the 12th of January, 1826, after all this frivolous delay, vexation, and expense—after the decision by the Vice-Chancellor—after the first trial—and after the second trial was moved for and suspended, the Lord Chancellor, at the request of both parties, undertook to decide the case—they preferring his decision to running the risk of additional expense and delay—and he confirmed the decision of the Vice-Chancellor after all. This was the nature of the grievances that existed, and he had stated enough to shew that the Court of Commissioners, as at present constituted, was not a fit Court for the discharge of the duties which they were meant to perform—that justice could not be done under such circumstances, and that it was not only highly desirable, but indeed absolutely necessary, that some remedy should be applied. What was that remedy? He had stated already, on the evidence of Mr. Montagu, that one Court, consisting of about six Commissioners, with one Commissioner to go through the less important and merely technical part of the duty, would transact all this business better than the present number of Commissioners, acting as imperfectly as they did. It was stated to the Committee, by most respectable solicitors (whose evidence he adverted to), and gentlemen well acquainted with this part of the business, that the greater part of it might be all transacted by one Commissioner, so that the difficulty of procuring the necessary attendance might be at once obviated. It was suggested by the witnesses, that there should be one permanent Board, composed of individuals who would not be looking forward to higher promotion, and who would not have other business to attend to. Other witnesses said, that a very small number of Commissioners of experience and ability would, under a proper system, be enabled to discharge the business satisfactorily to all parties concerned, and to the public, and they all strongly recommended the appointment of a permanent Court of Appeal. The Report of the Committee of 1818, adopting these views, recommended a radical change in the constitution of the Board of Commissions. He thought he had high authority in favour of this change. His hon. and learned friends opposite were, no doubt, aware, that a few years ago, when the new Bankruptcy Bill was introduced, a highly distinguished individual, since appointed one of the Masters in Chancery (now Lord Henley), was employed by the Lord Chancellor to draw up that Bill. This gentleman published a sort of commentary on that Act of Parliament, after it became a law, setting forth its object, explaining its provisions, and contrasting them with the former statutes. Some very remarkable words appeared in his preface to that work; and, considering by whose co-operation and encouragement he wrote it, and considering also by whose desire, and under whose sanction that Bill was introduced, they would appear fairly to justify the presumption, that Lord Eldon was favourable to this very extensive change. The author thus spoke of the amendments effected by the new Act. 'Amendments '(after enumerating them) which are not 'only most beneficial in themselves, but 'which may be hailed as a prelude to a 'change that will, alone, remove all the evils 'which at present exist, and without which 'the law cannot be adequately administered; for, unless a complete alteration be 'made in the tribunal by which the Bankrupt Laws are administered, it will be in 'vain to expect that the reproaches which 'are cast upon the present system can be 'removed.' The great change thus declared to be essential to any real improvement in the Bankrupt Laws, the present Bill proposed to effect. Instead of scattered and fugitive Courts, picked up from time to time among the seventy practising barristers who are named Commissioners, and discharging their duties in the manner already cited, from some of their own body, a permanent Court is to be established, to consist of ten members in all, selected from some of the most respectable and able individuals in Westminster Hall. Of this number, six are to be called and act as Commissioners: the other four, possessing all the powers of Commissioners, would also constitute a Court of Review, and exercise large powers of superintendence and revision. It would also be enabled to preside at the trial of disputed facts by a Jury, which might be called upon to decide them, while they are recent, and the witnesses at hand, thus avoiding that endless succession of expensive suits which is so often engendered under the present system. He might be here allowed to appeal to the same high authority: he again spoke of Lord Eldon. That noble and learned person, when consulted by Mr. Charles Bell, the eminent Scotch advocate, a man equally remarkable for professional knowledge, and for enlarged and benevolent views, as to the best mode of conducting process of bankruptcy in Scotland, had strongly recommended that it should be placed in the hands of a Court consisting of four Judges. If such a Court had existed when the cases occurred to which he had endeavoured to call the attention of the House, what would have been the consequence? Why, instead of cases travelling from the year 1816 to 1831, through all these various Courts and jurisdictions; instead of there being appeals from one to another, one reversing the decisions of another, the case would have been settled without delay; great expense would have been saved; much fraud and perjury prevented; creditors would have received their debts, bankrupts their surplus; the ruin of many would have been averted. In a word, it was reasonably expected, that by securing promptitude of decisions, both as to doubtful law and controverted facts, the estates of bankrupts would be really made available for the benefit of creditors, to the great relief of the commercial world. The next consideration of importance was, the appointment of assignees. To say, that the assignees were generally selected from the body of the creditors themselves, and that the creditors were likely to be the best judges of their own interests, appeared to be a plausible and fair vindication for the present state of things, yet, in point of fact, the results were not satisfactory. The assignee selected by the creditors, generally a creditor himself, commenced his operations with a keen appetite for a dividend, laudably attentive to his own interest, which was involved in that of his constituents, and desirous of doing justice to all. But encountered with difficulties, harassed by delays, involved in unexpected legal contests, he finds his ardour cool, and loses the hope of settling the bankrupt's affairs without a sacrifice of his own. Experience proved, that most assignees became supine and careless, and pointed out the remedy. A greater evil existed. Some enemy of the bankrupt, from feelings of personal animosity, or some friend, with a secret desire to serve him, procured the appointment of assignees, to forward private objects. To prevent the estate from suffering through any of these causes, it was proposed that official persons should act as assignees, under the authority of the Lord Chancellor, with a compensation proportioned to the labour and success, and always amenable to the Commissioners and the Court. He apprehended that no better security for an active pursuit of funds, and a speedy division of the forthcoming property, could be devised. On this subject, the late Lord Redesdale, in the year 1809, on proposing certain amendments in the Bankrupt Laws, particularly suggested the employment of official accountants, who should not be creditors of the estate, but who would act for the creditors. He thought that the creditors ought not to have a vote in the choice of them. Many of the witnesses pointed out the same description of persons, under various names—trustees—official assignees, &c.—and the Committee, in their Report, strongly approved of the proposal. It was also suggested, that the dividends remaining in the hands of the assignees should be transferred to some officer of the Court, for the purpose of forming a Suitors' Fund of the new Court. He did not like to mention the present amount of unclaimed dividends now in the hands of assignees, without some direct authority; but he could state, on the best authority, that it amounted to many hundred thousand pounds. If these dividends were not paid to the creditors under the commission, they might at least be paid into the hands of the Court, where they would form a fund of some benefit to the public, instead of remaining idle and useless. He had now laid before the House the leading and most important objects of the present Bill. He could see no objections to the remedy which it was proposed to apply to the most serious grievances existing at the present time. It was proposed, after long investigation, with the sanction, and by the advice, of the most intelligent and able individuals, the most experienced, and the most interested in the success of the measure. There were a great number of other provisions in this Bill, which it was not now necessary for him to develope, but they were well adapted to the end in view, namely, facilitating the business of the Court, and promoting the interests of the suitors. But it was necessary for him to go into some details respecting the mode in which the expense of the Court was to be defrayed. The amount of fees to be received on each bankruptcy would be materially reduced, and the whole expense of bankruptcy much lessened: but the fees and the receipts were expected to amount to a sum large enough to pay the Judges, Commissioners, and officers, now to be appointed, as well as emoluments equal to those which the Lord Chancellor now received from bankruptcy, and also a compensation to him for some loss, which his office was to undergo. If the fund to be raised by the intended fees should fall short, the House would probably see no objection to having recourse to the Suitors' Fund, consisting of the unclaimed money now in the hands of the Accountant-general, the property of suitors, who were not to be found, or did not apply, the accumulation of which, called the Dead Fund, had already been partially appropriated to objects connected with the Court of Chancery. Out of these savings a Register Office had been erected, the Masters in Chancery also received considerable payments from them, and the larger part of the Vice-Chancellor's salary was drawn out of this fund. The surplus now greatly exceeded 20,000*l.* a-year, and was, therefore, perfectly competent to answer all those new charges. It was universally known, that certain sinecure offices, connected with the Court of Chancery, had long formed an important part of the Chancellor's means of providing for those connected with him. One of these, a patent office, arising from Commissions of Bankruptcy, was now held by Mr. Thurlow, and the reversion of it was vested in the son of Lord Eldon. This office it was proposed to abolish: but as the present and all future Chancellors would thereby lose the chance of providing 7,000*l.* or 8,000*l.* a-year for some member of his family, an addition to his retiring pension would be thought not unreasonable. It was now 4,000*l.*, the same sum as the Chief Justice received on his retirement, and by only 500*l.* exceeding that of a Puisne Judge. The same retiring pension was secured for Lord Loughborough, when many sinecures were in his gift, and for Lord Thurlow, when he had also a Tellership of the Exchequer, of the yearly value of 4,000*l.* He thought no Gentleman would consider 6,000*l.* per annum as an extravagant remuneration for a Lord Chancellor, after he should have resigned the Great Seal. No one would be likely to urge an objection to placing the Lord Chancellor in a state of complete independence, and few persons would accept the office without resigning a professional income, exceeding the amount even of the larger retiring pension now to be proposed: while the public would gain by the abolition, both of sinecures and reversions—both indefinite, as attached to Courts of Justice. A material saving would accrue to suitors in Bankruptcy from the new arrangement and distribution of the fees to be paid hereafter. For example, the seventy Commissioners, now receiving among them 28,000*l.* yearly, would be exchanged for Judges and Commissioners, whose combined salaries would amount to 18,000*l.* The Chief Judge (and he had reason to hope that the office would be accepted by one of the most learned, experienced, and popular Judges that this country had ever known) was to receive 3,000*l.* salary; each of the Puisne Judges 2,000*l.*; each of the six Commissioners, 1,500*l.* He ought to remark, that all the new judicial officers, unlike the former Commissioners, were to resign all other practice, and devote themselves entirely to the business of the new Court. If any imputation were cast on the acquisition of this patronage by the Lord Chancellor, he would contend, that the Bill, in fact, proposed on his part to surrender some of the best patronage that belonged to the Great Seal. The seventy commissionerships afforded the means of conferring perpetual obligations, not seldom on the first families in the kingdom. A canvass was always going on, not only for the office, but for the remotest chance of obtaining even the most distant prospect of succession. The opportunities of connexion were still more valuable than the income arising from the office—sometimes not unimportant at the commencement of a professional career. Yet it seemed a small boon to ask for: the duty would not be too heavy for any man, and if it should be ill performed, the public did not detect the fault. But when a very limited number of Judges was to be selected, for the discharge of important duties, under the public eye, the range of patronage was circumscribed; it was only among very few that the choice must be made. He then entered into some farther particulars relating to the future expenses, for the purpose of shewing, that upon 1,800 commissions (the average yearly number) the whole expense would be reduced from 56,000*l.* to 40,000*l.* a year; and after shortly recapitulating the improvements introduced by the Bill, he moved the Order of the Day.

Sir *Charles Wetherell* moved, as an amendment, that the Order of the Day be postponed till Tuesday next.

The *Speaker:* The hon. Gentleman will find some difficulty in doing that. An Order of the Day belongs to a particular day—to a day fixed, and it would be rather an inconsistency, therefore, to postpone an Order of the Day. The hon. Gentleman can meet the motion by a direct negative, or, when the Order of the Day is read, he can move, that the Debate be adjourned; but he can hardly move the postponement of the Order of the Day.

The Order of the Day read, and on the motion that the Bill be read a second time.

Sir *Charles Wetherell* moved, that the Debate should be adjourned till Tuesday.

The *Attorney General* hoped his hon. and learned friend would allow the discussion to proceed for some time longer, if they were not able to get through it that night, he could then move the adjournment.

Sir *Charles Wetherell* said, that there was not a single statement in the speech of his hon. and learned friend which would not admit of a complete answer. There was one observation, however, with which his hon. and learned friend preceded that statement, that was to him (Sir Charles Wetherell) very satisfactory. It was, that the Bill ought to be treated with respect, as proceeding from a high, deliberative, and legislative body. It was consolatory to know, that there was still such a body in existence. Away, then, with the attempts of the hon. and learned Gentleman, and those who surrounded him, and of their friends the Press, to strip that high, deliberative, and legislative body of the right to deliberate and legislate at all. [*Oh, oh!*] An hon. Member exclaimed oh, oh! Perhaps that hon. Member participated in the notion of the non-existence of the House of Lords. Be that as it might, he thanked his hon and learned friend for having recognised the existence of the House of Lords, as well as for his recognition of their being capable of forming a deliberate and wise judgment. The immediate subject before the House was, unquestionably, one of the highest importance. The property of which the new Court, if it were established, would have to dispose, would be much greater than that disposed of by the Court of Common Pleas or the Court of Exchequer. How necessary was it, therefore, that a Bill of such magnitude should undergo a thorough investigation. His hon. and learned friend had said, that they must not touch it. According to his hon. and learned friend, the body from which it proceeded had such a plenitude of the deliberative faculty, that it was entitled to deliberate, not only for itself, but for the House of Commons. His hon. and learned friend's conduct accorded with his doctrine. The Bill had not been brought down to the House until Wednesday, and the printed copies had not been delivered until that day at twelve o'clock, and yet he, and those who thought with him on the subject, were called upon, at so short a notice, to argue it against his hon. and learned friend, who, in addition to his knowledge of the Bill, held in his hand a schedule full of information and arguments collected from all quarters. The present system of administering the Bankruptcy Laws had been approved of by successive Chancellors during the last century—by King, Camden, Erskine, &c. none of whom had detected the delays, the expenses, and the corruptions now attributed to it. It was true, that from time to time, various improvements had been suggested in the system. Even in his own humble opinion, the system might be materially improved, retaining, however, its principle. But he could by no means consent to the three-fold denunciation in the preamble of the Bill, which charged the existing system with the greatest delay, expense, and uncertainty. His hon. and learned friend had quoted authorities in favour of the Bill which, however, were not so at all. Did his hon. and learned friend mean to say, that Lord Eldon was favourable to the Bill? If so, as it was irregular to allude to the debates in the House of Lords, he would refer his hon. and learned friend to the Journals of the House of Lords, in which it appeared, that the eminent and illustrious individual in question had recorded his protest against the Bill, on the ground, that its principle was false, and that the threefold denunciation of the present system in the preamble of the Bill was unfounded. His hon. and learned friend had also quoted the opinions of Mr. Cullen and Mr. Montagu, in favour of the Bill; but they were not in favour of the Bill. They said, that the Bankruptcy Laws must be regulated and amended, and so said he; but none of the authorities quoted by his hon. and learned friend went the length of expressing an opinion of the constitution of such a tribunal as the present Bill would establish. He had made some inquiry in the City, and he found that the strongest objection existed to the Lord Chancellor's having the monopoly of appointing all the authorities under the proposed system; not only the four new Judges, but the official assignees, who were not merely to act with the assignees appointed by the creditors, but to over-rule them; and who would, ere long, get all the assets of all the bankrupts in the kingdom into their possession. He admitted, that there were many injurious delays in the present system, he allowed all that the Attorney General had said about the unfortunate cases of Chambers and others—and he should be happy to agree to a statute of limitation upon bankruptcy proceedings; but what had that to do with the establishment of an entirely new Court, at the expense of 28,200*l.* a-year to the public? He would readily adopt any improvement in the bankruptcy jurisdiction which should preserve the principle of the present jurisdiction; but this Bill destroyed that principle entirely, and swept away every vestige of the existing system. The inconvenience of appeals had been argued by his hon. and learned friend; but the new Bill was full of causes of appeal. As to the machinery of the Bill, the more he examined it, and the more he reflected on its details, the more he became convinced that it could not work well. But reference had been made to authority, both in its favour and in favour of the general principle of the measure. Well, he must be allowed to say, that if the question were to be decided by authority, and not by reason, he at least should have no cause for discontent, seeing that the authority against the Bill quite preponderated. There was not a man in the country, competent to form an opinion upon such a question, who would not at once say, that the whole business of Bankruptcy ought to be exclusively in the hands of the Lord Chancellor; for it was essentially matter of equity, and decisions could scarcely be made on it, that were not in substance equitable decisions. The preamble of the Bill, from its large proportions and mendacious character, reminded him of,

> ———"London's column, pointing to the skies,
> Like some tall bully lifts his head and lies."

This description of Mr. Pope would answer for the preamble of the Bill, and was fully borne out by its character, for it performed nothing that the preamble naturally led one to hope for. He regretted that the hour of the night did not allow of his doing justice to the sentiments which he entertained respecting this measure, and he should, therefore, be under the necessity of adjourning to a future day many of the observations which he felt it necessary to make, for the purpose of fully exposing the weaknesses and imperfections of the present measure; but there were one or two points which he could not help noticing. Here was an Administration which founded its claims to public confidence and favour upon unflinching economy, which looked after cheese-parings and candles' ends—the save-all Ministry proposed, that public officers should be salaried before they commenced their duties. But he did not oppose the Bill upon that ground, nor upon any single or isolated, or narrow ground; he opposed it because it took out of the jurisdiction of the Court of Chancery the business of Bankruptcy. He should like to know whether the merchants of London did not, and would not prefer the immediate opinion of such a Judge as Lord Eldon to that of any intermediate Court. He never heard that merchants expressed a wish to give up the power of naming their own assignees, and to resign the whole power to the Lord Chancellor. He had no objection, that the assignee appointed to collect the assets should give security. He could not admit, that Lord Brougham, however versatile his talents, was the fittest person to select the best accountants and the best assignees. His objection to the Bill was, not that eminent Judges would not be appointed, but that the tribunal was uncalled for, and that it would aggravate all the mischiefs now complained of. He opposed it, likewise, as a needless and mischievous expense; especially did he object to the expense being defrayed from the Suitors Fund. Hitherto the practice had ever been, that the whole expense of a bankruptcy be defrayed from the estate; and the average expenses to the estates of bankrupts did not amount to more than three-pence in the pound—of course, that was taking the whole mass. In a court of law or of equity, if A and B had matters in dispute, costs were paid by the parties, and never by the State; and why should the nation at large be called upon to defray the expenses of bankruptcy? He complained of the measure, not only on account of the funds whence its expenses were to be drawn, but by reason of the amount of those expenses: the lowest estimate which had been made of those expenses was 40,000*l.* In that there was no provision for the brick and mortar to be used, for it was to be presumed, that those gentlemen were to have some place in which to sit, and then the salaries of the retiring gentlemen were totally omitted. Now that he was on the subject of retiring salaries, he would observe, that something had been said about the retiring salary of the Lord Chancellor, and about the necessity for raising it to 6,000*l.* a year. It was proposed to increase the retiring pension of the Lord Chancellor from 4,000*l.* to 6,000*l.* This did not appear very consistent with the principle of economy, one of the three pillars on which the present Administration was founded; nor did he understand what connection the subject had with the administration of the bankrupt laws. Lord Rosslyn and Lord Eldon, and other Chancellors, had no more than 4,000*l.* a year. He regretted the hon. member for Middlesex was not present, as he took these financial matters into his own hands. It somehow or other happened, that of late he was sometimes absent upon occasions of this kind. He would expose this matter very ably, as he always did. He would clothe it in proper terms from that peculiar financial vocabulary of which he was so great a master. He would shew the extravagance of this plan. And this was the Administration that was no longer to govern the country by patronage! To use an expression of Dr. Johnson, patronage of late was rising every where round them like exhalations from the earth; it was springing up like mushrooms. He did not know how many places they had already created. Besides those to which the Reform Bill gave birth, here were Judges, Commissioners, and Assignees, all to be appointed by the Lord Chancellor of England. When Reform was so expensive as this, was it to be supposed, that the people of England could not distinguish between Reform and Reformers—between what was for public and what for private advantage? Take the whole of the History of England, from the time of Walpole down to the present day, and he would venture to assert, that there never was an Administration which had dared to arrogate one-fourth of the patronage which the present Ministry had attempted to grasp. And this was the Ministry which so loudly complained of places, and pensions, and sinecures, and overpaid offices! This was the Ministry which was to manage the affairs of the country upon principles of the most parsimonious economy. The change proposed was worse than useless. There could not be a better system than the present if it was carried properly into operation. This House, he contended, had no business to interfere with an experimental Court of Bankruptcy against the opinions of Lords Eldon, Lyndhurst, Sir John Leach, and other equally respectable functionaries in the Court of Chancery. The Attorney General, he repeated, had not quoted the opinion of a noble Lord, a former Chancellor, correctly, for the words of the protest of that noble Lord, as entered on the Journals of the House, were, that he dissented from this measure because, instead of diminishing, it was calculated to increase the expense, the litigation, and the delay of the present system of Bankrupt administration; and looking at it himself in that light, he must in order to have more time to prepare himself, and in order that the House also might be prepared to consider the measure, move as an Amendment to the present Motion, that the Bill be read a second time on Tuesday next.

Sir *E. Sugden* hoped the second reading might be appointed for some day when it could be brought forward at an early hour.

The Debate adjourned to Tuesday next.

HOUSE OF LORDS,

Monday, October 3, 1831.

MINUTES.] Petitions presented. In favour of the Reform Bill, by the Marquis of CLEVELAND, from Wellington, in Shropshire, from Seaford, and from the Inhabitants of St. Mary's in the Strand. By the Earl of RADNOR, from places in Wilts, Kent, Renfrewshire, Cornwall, Somersetshire, and Sussex; from Exeter, and seven other places in Devonsire, by Lord POLTIMORE. By the Earl of CARLISLE, from Inhabitants of Carlisle, Castle Donington, Maryport, and Bedlington. By the Duke of NORFOLK, from the Town and Parish of Sheffield, signed by 19,115 of the most respectable Inhabitants there; from the Inhabitants of Brighton; from Dartford; from a place in Leicestershire; from the Town of Leicester; from the Inhabitants of the County of Devon, and other places. By Lord ABERCROMBY, from Kirkcudbright, signed by 2,000 persons. By the Duke of SUSSEX, from the Borough of Southwark, signed by 3,270 of the 3,600 Voters resident in that Borough; from the Inhabitants of Denbigh; from the Inhabitants of the Ward of Cheap, and of the Ward of Farringdon Within, in the City of London; from the Inhabitants of Penzance, in Cornwall; and from places in Lincolnshire. By the Duke of Grafton, from Bury St. Edmonds, signed by 1,844 persons. By the Earl of Eldon, against Reform, from the Inhabitants of Bridgewater, and from the Inhabitants of Weymouth. By Lord Clifford, from the Protestant Freemen of Rahoon, and of Catholics of the Wardenship of Galway, to extend the Elective Franchise of Galway to Catholics.

Reform—Petitions.] The Marquis of *Cleveland* presented a Petition from the county of Durham, in favour of the Reform Bill, and praying their Lordships to pass it without delay. He was convinced that this petition spoke the general sentiments of the county at large.

The Marquis of *Londonderry* was sure that the inhabitants of Durham at large by no means partook of the sentiments of the petitioners. He knew that a great portion of the people of property in the county were against the Bill.

The Marquis of *Cleveland* considered the fact, that no counter-petition had been presented from Durham, decisive as to the groundlessness of the noble Marquis's assertion.

Lord *Clifford* presented a similar Petition from the county of Devon, the result of a county meeting, convened by the High Sheriff for the occasion, and unanimously agreed to, with the sentiments of which he entirely concurred.

Lord *Rolle*, as one well acquainted with the county of Devon, would take it upon him to say, that a reaction had taken place in the sentiments of its inhabitants, against the Bill. He thought it the more incumbent upon him to state this fact, as menaces had been held out, threatening him with peril of life and property in the event of his opposing the Bill. He was, however, determined never to forsake the Constitution, but to do his duty, and endeavour to uphold it to the last. The meeting at which the petition was agreed to did not consist of more than 1,000 persons, and could not be considered as speaking the sense of the county. He should, therefore, best do his duty to his neighbours, as well as to the country at large, by opposing this Bill.

Lord *Clifford* was also acquainted with the county of Devon, and could, on the other hand, confidently state, that no such reaction had taken place.

Lord *Rolle* repeated, that to his knowledge a change unfavourable to the Bill had taken place in the sentiments of the freeholders of Devonshire, and he only discharged his duty in stating it.

The Duke of *Richmond* begged leave to ask the noble Baron, whether he had a petition to present from the county of Devon corroborative of his statement? Here was a petition from the county, formally convened for the purpose, in favour of the Bill, and praying their Lordships to pass it with the least possible delay. Surely, then, if the great change which the noble Baron stated to have taken place in the sentiments of the people of Devon, with respect to the Bill, had taken place, at least one counter-petition from the county had been intrusted to the noble Baron.

Lord *Rolle:* I have no such petition to present, and have not heard of any counter-meeting, and believe that none such has been held.

The Duke of *Sussex* presented a Petition in favour of the Reform Bill, from the Merchants, Bankers, Traders, and other inhabitants of the city of Bristol, signed by 25,740 individuals. The noble Duke said, that this petition, in fact, had appended to it the signatures of almost all the respectable and influential persons in the city of Bristol, and he understood that the greatest care had been taken that no individuals under sixteen years of age should put their names to it, and that none but *bona fide* signatures should be affixed to it.

The Marquis of *Londonderry* was sorry to rise on that occasion, but he, too, had a duty to perform. He had received a letter, stating that this petition was most improperly got up. The noble Marquis read a letter from an individual signing himself "William Davis," in which the writer stated, that he knew of his own knowledge that 1,733 signatures to this petition were fictitious—that several persons under age had signed it, and, in short, that from what had been communicated to him on the subject, he could assure their Lordships, that 5,000 or 6,000 of the names to this petition were forgeries. The noble Marquis said, that he was entirely ignorant as to whether this statement was true or false, but that, as the writer who had made it had done him the honour of writing to him on the subject, and as he mentioned that he was ready to verify it upon oath, he felt it his duty to lay such a statement before their Lordships.

A *Noble Lord* said, that he had received a communication from a most respectable quarter in Bristol, in reference to this petition, which left little doubt in his mind that this petition had been most respectably signed. Indeed, such was the respectability of the quarter from which he had received this communication, that he had no doubt at all as to the respectability of the names to this petition.

The Duke of *Sussex* said, that it could not be supposed that he should be answerable for all the petitions which he might present, any more than the noble Marquis. He had mentioned the respectability of the signatures to this petition on the authority of a letter from the Chairman of the meeting at which it had been adopted; and he had been informed by the two Members for the city of Bristol, that they were aware, from their own personal knowledge, of the respectability of the petitioners. The noble Duke then presented a petition to the same effect from the town of Birmingham, signed by the High Bailiff, as Chairman of the meeting, which had been most numerously and respectably attended by the merchants, traders, bankers, and other inhabitants of that great and opulent town.

The Duke of *Cumberland* wished to know what date was affixed to this petition.

The Duke of *Sussex* said, it was dated the 31st of September.

The Duke of *Cumberland* remarked that there was no such day in the year.

Lord *Eldon*, in presenting three petitions against the Bill, said, he had heard that a petition in favour of Reform was in progress from the city of Norwich, which it was said was signed by nearly 14,000 persons. This number of signatures so much exceeding the male population of the city, proved that the petition itself was entitled to very slight attention, and shewed that such petitions were got up in an unfair manner.

The Earl of *Albemarle* stated, that the petition from Norwich in favour of the Reform Bill had been adopted at a public meeting duly convened, and held in the Common-hall in that city.

The *Lord Chancellor* presented a Petition in favour of Reform from the inhabitants of Halifax, in Yorkshire, signed by 12,500 persons. The noble and learned Lord said, that he had eighty similar petitions to present, but that he should merely state where each of them came from. He felt it his duty to present them to their Lordships, as the noble Earl (Eldon) felt it his duty to present the petitions on the other side, in order that their Lordships might become fully acquainted with the state of the public mind on the great Question, the consideration of which was fixed for that evening. He could not avoid remarking, that the number of petitions against Reform was as yet very small, exceedingly minute, though perhaps it might hereafter increase. He should proceed to present to their Lordships eighty petitions with which he had been intrusted, all containing a prayer the very opposite of that of the three petitions which had been just presented by the noble Earl (Eldon). The noble Lord accordingly presented petitions in favour of the Reform Bill from the merchants, traders, and inhabitants of Belfast, signed by 5,500 individuals, from Preston, in Lancashire, signed by 3,600 persons, from a place in Leicestershire, from a place in the county of Dumbarton, from Stockport, in Cheshire, signed by 2,500 individuals, from Kendal, with 1,160 signatures, from St. Leonard's, from the city of Glasgow, from the town of Ilfracombe, from the town of Kelso, from Henley-on-Thames, from the town of Sligo, from the freeholders and inhabitants of the county of Devon, from the inhabitants of the town of Wakefield, signed by 2,800 persons, and from several other places in England and Scotland. After presenting forty such petitions, the noble Lord postponed the presentation of the remainder, with the exception of seventeen petitions from several incorporated trades in Paisley and its vicinity, until to-morrow.

Earl *Grey* said, that the first petition which he should present to their Lordships in favour of the Reform Bill, out of the vast batch which he had beside him on the floor, was from the merchants, bankers, and traders of the city of London, voted at a meeting the most numerously and respectably attended, and which had been lately held in the Egyptian Hall. It was signed by 4,700 persons, the signatures having been obtained in the course of three or four days. Indeed, he believed that there would be found signed to this petition some of the most respectable names in the city of London. The petitioners stated, that they were at this moment as ardently anxious as ever they had been for the passing of the Reform Bill. He had, besides this petition, a vast number of other petitions, as their Lordships might perceive, to present, the prayer of which was precisely to the same effect, namely, that their Lordships would pass the Reform Bill as speedily as possible. No particular pains had been taken to get up the numerous petitions which he had to present, and he, therefore, thought that he might fairly point to them as a pretty strong indication, that, so far from the public feeling having diminished, it had actually increased in favour of the Bill which their Lordships would have that night to discuss. The noble Earl opposite (Eldon) was greatly mistaken if he supposed that the object of those numerous petitions which would be presented on this subject was to deter noble Lords from doing their duty. God forbid that they should be so intended, or have any such effect. He trusted—indeed he was sure—that their Lordships would discharge their duty conscientiously with regard to this important Question. At the same time he was of opinion, that the petitions of the people were entitled to great consideration in the discussion of that Question. The noble Earl also presented a petition in favour of the Bill from the inhabitants of Manchester, signed by no less than 33,130 individuals, which amount of signatures had been obtained for it in the course of five days. The petition in favour of Reform from Manchester, which had been presented in March last, he said, was signed by only 24,100 persons, and it had been lying for signatures for the space of fourteen days. That fact proved, he thought, that at least as far as Manchester was concerned, there had been no diminution of the public feeling in favour of this Bill. The noble Earl presented similar petitions from Devonport, and from the Northern Political Union of Birmingham. The latter petition, the noble Earl stated, was signed by 30,000 persons. He presented similar petitions from the great commercial city of Glasgow, signed by 45,000 persons, and from the freeholders and inhabitants of the county of Cornwall, signed by 6,000 individuals. He also laid before their Lordships a petition from the county of Kent, agreed to at one of the most numerous meetings ever assembled in that important section of England. It was voted almost unanimously, there being only twelve dissentient voices out of the whole meeting. Although several thousands of persons were present, the proceedings were conducted with the greatest decorum: there was no interruption—no violent language—even those who opposed the Bill obtained a patient hearing. The meeting would have been still more numerous but that many of the farmers were engaged in saving the hops, an important operation in that county. He could confidently state, that these petitions were a complete indication of the warm, hearty, and energetic sentiment that prevailed throughout the country in favour of Reform. The noble Earl presented, in conclusion, a mass of petitions, all in favour of Reform, amounting to between forty and fifty, including petitions from the county of Montgomery, signed by 1,700 persons, from the city of Durham, South Shields, Bread-street Ward, city of London, Newcastle-upon-Tyne, Weymouth, Hereford, and other parts of the United Kingdom.

The Earl of *Radnor* begged to make a few observations with respect to the petition from Bread-street Ward presented by the noble Earl. Since the time that petition had been voted, the desire for Reform had so much increased in the Ward, that another petition, signed by nine-tenths of the inhabitants of that opulent district, had been prepared, and would be presented by him to-morrow. The prayer of the latter petition not only called for the passing of the Bill, but that it might pass without delay, as great inconvenience had resulted to trade from the obstacles offered to its progress through the Commons. Some years ago there were only two Reformers in the Ward, and even the remaining tenth of the inhabitants would, he believed, have subscribed their names to the petition had time permitted.

The Earl of *Falmouth* rose to make some remarks on a petition from the inhabitants of a parish in Cornwall, presented in the course of the evening. [*The noble Earl was interrupted by calls for the "Order of the Day." "It is past six o'clock."*] He only rose to state some facts made known to him by a most upright and disinterested Magistrate. That individual, in specifying various objectionable signatures to the petition, had informed him, that it contained the names of but two freeholders out of all the parish.

The Marquis of *Lansdown* hoped that their Lordships would come to an understanding, ere the Order of the Day was read, that the rule adopted for that evening, a rule agreed to during his absence from the House, would not be applied to the proceedings of to-morrow, but that ample opportunity would be afforded for presenting petitions. He should consider it most improper, should the House go into the merits of the momentous Question before them, without giving every part of his Majesty's subjects full permission to be heard.

The *Lord Chancellor* said, that he should feel grievously to blame if he did not do all in his power, not only to effect the chance, but to secure the absolute certainty of petitioners being heard. His noble friend must have been egregiously deceived if he was led to suppose that any arrangement had been made, or so much as thought of, for shutting the door of that House against the petitions of the people. He was one of those who had made the suggestion with respect to the reading of petitions, which he saw had been misunderstood. In offering the suggestion, he had added one very material point, a point expressly stated, that it was only to take effect for that one night, to which the House agreed by way of experiment; then, if there occurred any extraordinary pressure of business, they might make other arrangements. He entirely concurred in the propriety of not urging forward so great a question without securing the absolute certainty of hearing the petitions brought before the House, as it was right that they should exercise their legitimate influence on their decisions.

The Duke of *Buckingham* proposed that the House should meet for the purpose of receiving petitions at two o'clock.

The *Lord Chancellor* was hostile to any arrangement that would tend to show that the presentation of petitions was a mere matter of course, for the purpose of shoving them into a basket. He had no objection personally to the House meeting at two, provided there was an attendance of Peers at that time. But at such an unusual hour there would be no more than four or five Peers with a number of petitions, and the rest would come at the ordinary time. They had the whole week before them, and he was ready and resigned to sit there during the whole week, but he should not be content to see the petitions to that House unduly disposed of.

Lord *Wharncliffe* agreed with the noble and learned Lord, that petitions should be presented during a full sitting.

The Marquis of *Cleveland* thought that the convenience of his Majesty's Ministers should also be consulted. He would propose that petitions be received from four o'clock to seven.

The Duke of *Buckingham* inquired if it were there Lordships' wish to meet at three o'clock to morrow?

Lord *Holland* was of opinion, that the usage and practice of that House, on similar occasions, was the most convenient for saving time. The best and most usual way was, for the House to meet to-morrow, and go on presenting petitions till none was left. That was the natural proceeding of Parliament, and it was difficult to come to any positive resolution on the subject.

Lord *Kenyon* agreed with the noble Baron, and thought they had better determine the hour of meeting. He would propose that they should meet at three o'clock to-morrow, that they might occupy themselves in paying the attention due to the petitions of the subjects of the realm.

The *Lord Chancellor:* The question is, shall this House at its rising adjourn till three to-morrow?

Earl *Grey* thought that four would be the most convenient hour. If, however, their Lordships were of a contrary opinion, he had no objection to accede to their wishes. On the whole, however, he thought that four would be the most eligible.

The Earl of *Abingdon* held a petition which he should bring for presentation at three o'clock to-morrow.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—SECOND READING—FIRST DAY.] The Order of the Day for the second reading of the Reform Bill was then read, the utmost stillness pervading the House.

Earl *Grey* rose and spoke as follows.*

In the course of a long political life, which has now extended to near half a century, it has often been my lot to propose in this House, and in the other House of Parliament, many questions of the most vital importance to the political interests of this country and of Europe, as well as to our domestic concerns. If at such times, under such circumstances, and with such interests at stake, I felt that awe and trepidation, which the importance of those occasions must naturally have inspired, and which were no more than became me, speaking, as I did, conscious of my own inferiority, in the presence of some of the greatest men this country has ever produced, and sensible of the important duty I had then to discharge; if, I say, on such occasions I felt awe, yet still were those feelings as nothing in comparison with those which I now experience, when I am about to propose to the consideration of your Lordships a question involving the dearest interests of the nation—a question, for the bringing forward of which I, more than any other man, am responsible—a question which has been designated as subversive of the Constitution, as revolutionary, as destructive of the existing institutions of the State, and as tending to produce general confusion throughout the empire. The question has been so characterised; but I have felt, solemnly and deliberately felt, that such changes are necessary. I believe the present measure to be a measure of justice, sound policy, peace, and conciliation. I believe, that on its acceptance or rejection depend, on the one hand, peace, tranquility and prosperity; on the other, that state of political dissatisfaction and discontent, the continuance of which threatens all those disastrous consequences, which must arise when ill feeling is engendered in the people towards the Government of the country. I have said, that I more than any other man am responsible for bringing forward this measure, and it is therefore necessary, in the first place, that upon this point I should set myself right with your Lordships.

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* From the corrected edition, published by Ridgway.

My opinion on this question of Parliamentary Reform is well known to such of your Lordships as have done me the honour of observing the political conduct of so humble an individual as myself. I have uniformly supported the principle of Reform.

So far back as the year 1786, soon after my introduction into Parliament, I voted with Mr. Pitt for a motion which was then brought forward, for shortening the duration of Parliaments. I voted for a measure of Reform introduced by Mr. Flood, at the commencement of the French Revolution, before the breaking out of that unhappy war, carried on at such a fearful expenditure of blood and treasure. I myself, on two different occasions, brought forward motions on this subject, believing then, as I believe now, some change in the Representation of the people to be absolutely necessary, in order to give new vigour to the Constitution, and to make the House of Commons, in fact, that which it professes to be in theory—a full, free, and efficient Representation of the people.

I stand, therefore, now before your Lordships the advocate of principles from which I have never swerved. But although I have reverted to these facts in my political career, I must also say, that it is not enough for a public man, pretending any claim to the character of a statesman, to show that he is sincere and consistent in his actions; it is not enough for him to show, that what he has proposed is in conformity with opinions long established in his mind; he is bound to entertain the conviction forced upon him through all the chances and changes of a long political career, that, in proposing a measure affecting the mighty interests of the State, the course he takes is called for by justice and necessity.—He has a further duty to perform—he has to prove that he has not forced into notice even right opinions rashly, precipitately, or at a dangerous season; but that he has done so from the sincere conviction, that the measures which he proposes are essential to the well-being of the country, that they could no longer be delayed with safety, and that, when passed into a law, they would bind together and unite in affection to the Government, a loyal and confiding people.

To show what my course of conduct has been, a short detail only will be necessary. Your Lordships cannot have forgotten the agitation that prevailed throughout this country in the commencement of last session, the general discontent that pervaded every part of the empire—society almost disorganized—the distress that reigned in the manufacturing districts—the influence of the numerous associations that grew out of that distress—the sufferings of the agricultural population, the nightly alarms, and burnings, and popular disturbances, approaching almost to the gates of the metropolis—the general feeling of doubt and apprehension observable in every countenance. Your Lordships cannot have forgotten the occurrences of that unprecedented period. It was sufficiently exemplified by the conduct of his Majesty's Ministers, who counselled their Sovereign, not to expose himself to the chance of danger—a danger which I most sincerely believe was groundless and unreal, by paying that visit to the Citizens of London which it has been usual for the Monarchs of this country, shortly after their accession, to pay to that great, loyal and opulent body. These things must be fresh in the minds of your Lordships, and your Lordships must also recollect in how great a degree there prevailed at that same period a general and growing desire for the adoption of some measure of Parliamentary Reform, which tended still more to agitate the feelings of the country, and to increase the complaints of the abuses which affected the more popular branch of the Legislature.

That desire was only the revival of a question which had at times slumbered, but had never been extinct during a period of more than eighty years. If the anxiety to urge forward the question of Reform had, as some asserted, ever slept, it was only in appearance and partially; it had never slept really or completely. On the arrival of a season of difficulty, the question was stirred anew—a circumstance which of itself demonstrated the expediency of having it speedily settled. That measure then had begun to be felt as so necessary, that when I arrived in town, I found many persons who certainly never dissented from Reform, but who were never its zealous advocates, convinced that the period had at last arrived when the question should be entered into with the sincere desire of bringing it to a final and satisfactory adjustment. This was my conviction also. Your Lordships may remember, that, on the very first day of the last Session, I took an opportunity of discussing the state of the country; and in answer to a noble Earl, whom I do not now see in his place, and who urged the necessity of adopting strong coercive measures to meet the growing danger, I then stated, using the familiar illustration of putting one's house in order to meet the coming storm, that the best security that could be devised, the cheapest defence that could be adopted by Government, the most certain shield, the unyielding armour of proof against any perils, foreign or domestic, was a Reform in the Representation of the Commons House of Parliament, with which the people were no longer satisfied, and without which there could be no reasonable hopes of restoring their confidence in the Government.

Whether your Lordships have or have not forgotten the words that fell from me on that occasion, I am sure your Lordships cannot have forgotten the answer which they received, any more than you can have forgotten the consternation produced by that answer, when the noble Duke, then at the head of his Majesty's Government, avowed himself an enemy in principle to all Reform whatever, and professed to consider the present construction of the House of Commons so perfect as to exceed the reach of modern wisdom to rival it—that it deserved to be held as unalterable, and that any change, however slight, must be productive of danger to the constitution. The effect of this declaration must still be fresh in the memories of your Lordships. It has been described by Mr. Drummond, in addressing the electors of Surrey, and Mr. Drummond is not unfriendly to the noble Duke and his colleagues, nor favourable to the plans of his successors; yet he said that it showed great ignorance of public feeling at the time, and that it had driven the people to despair. A noble Baron opposite has expressed himself in similar terms, and has stated that the dissolution of the noble Duke's government was owing to what he has been pleased to call, that imprudent declaration. It is under these circumstances that I stand forward to-night to propose to your Lordships the measure of Reform. Thus far then, my Lords, I must stand acquitted, that in proposing this measure I am doing nothing which is not consistent with the principles that I have always maintained, that I propose it in continuance of the strong conviction, which I expressed at a moment when I could not have had the most remote idea of filling the situation which I now so unworthily hold, that this measure could not be delayed much longer with safety to the country. What has followed is well known to your Lordships. I received the commands of a gracious Sovereign to form an administration. On what principles was I to form it? On that of my predecessors—hoping to carry on the same system, but with greater success? My Lords, I could have no such presumptuous hope or expectation. If that had been possible there would have been no reason or motive for their removal.

The question then simply came to this—whether we should attempt to maintain the system of our predecessors, which was the cause of their removal, or follow one more congenial to the general feelings of the community?

Under these circumstances I did certainly state to my Sovereign, as a condition of my accepting office, that I must be allowed to bring forward a measure of Reform as a measure of the Government. That condition was graciously assented to by an indulgent master, not much objected to in this House, sanctioned by the approval of the other House of Parliament, and received with unmixed satisfaction by the great body of the people. I lost no time, therefore, in conjunction with my colleagues, in preparing the Bill, which, in its more mature state, is to form the subject of this night's deliberations.

So far, then, I trust your Lordships will think that my conduct stands clear, and that I am not justly chargeable with having brought forward a measure that is at once unnecessary, and introduced at an inconvenient time, but that I had grounds for thinking—and that I have been justified in acting upon those grounds—that it was not only a measure which the public generally required, but that it was, in fact, one which could no longer be delayed with safety. Under these circumstances, therefore, if I have stated them correctly, I hope that it will not with reason be imputed to me as a crime, that I embrace the earliest opportunity of carrying into effect those principles of which I have always been the strenuous though the feeble advocate, and of acquitting myself of that pledge which my colleagues and myself gave upon our accession to office, by introducing a measure of Parliamentary Reform, which, as I have before said, will, I am convinced, if it should receive the sanction of this House, be found to be a measure of peace, of safety, and of conciliation. But then there is this further question, to which I am aware it will be expected I should give an answer. Granted that the public feeling runs strongly in favour of Reform in Parliament—granted that the admission of the principle of Parliamentary Reform was general, so general, indeed, that, with the exception of the noble Duke opposite, there was not one then to be found, even among the noble Duke's colleagues, as I believe to be the fact, who was prepared at the time to deny, that the period was at length arrived at which the long-agitated question of Parliamentary Reform must be looked at with a view to its adjustment—granting all this, still why was it necessary to introduce a measure of this extent, which, in the language of the persons who put this question, is revolutionary in spirit, and subversive of the best principles of the constitution? My Lords, I hope to answer this question, also, satisfactorily, and to prove to your Lordships, that, however easy it be to declaim about dangers and revolutions, there is nothing in this measure which is not founded upon the acknowledged principles of the British constitution—nothing that is not perfectly consistent with the ancient practices of that constitution—and nothing which may not be adopted with perfect safety to the rights and privileges of all orders of the state, and particularly of that order to which your Lordships belong; although it has been asserted, with as much confidence as ignorance, that the rights and privileges of your Lordships are particularly endangered by the enactments of this measure. Admitting, then, that something must be done, the question is, what that something ought to be? For, as I before observed, and as I repeat now, there was, with the exception of the noble Duke, scarcely another individual to be found, from the most diminutive nibbler at a bit-by-bit reform down to the men who advocated the strongest and the most vigorous measures of Reform—who was not forward to admit that some adjustment of the question was absolutely necessary. Under these circumstances, then, the Government had but one question to determine. We had to decide whether, by doing as little as possible, such as bringing in something under the name of Reform, which really meant nothing, we should affect to redeem the pledge we had given, or whether we should adopt—I had almost said the plan of the noble Baron opposite—I wish I knew what that plan was—whether, then, I say, we should adopt the principle of the noble Baron, of doing something vigorous and effectual. If so, I would observe, that I think we have done so; for our principle is, by doing all that can be justly required, and by honestly redeeming our pledge in the same spirit in which that pledge had been made by us, and understood by the people, to give to the nation contentment, and to all future governments the support of the respectability, the wealth, and the intelligence of the country; which is the surest ground of stability, and nothing short of which can enable a government to make a stand, upon the principles of the constitution, against all wild and unreasonable attempts at innovation. These, then, are the two modes of which we had choice. As to the first mode—as to the introduction of a half measure of Reform, as a step to future improvement at a more distant period—a bit-by-bit amelioration—we might, indeed, by proceeding upon that mode, have kept "the word of promise to the ear, but mocked it to the sense." There was, however, besides the disingenuousness of it, this fundamental objection to such a proceeding, namely, that it would have satisfied no one, and would, therefore, have left the question in as unsettled a condition as before. The opponents of all Reform, finding that the principle of Reform was admitted, that their strong ground of opposing all innovation and all change was taken from under their feet, would have been discontented, whilst the people would have been disappointed in the great object which they had in view, in the earnest hope by which they were actuated of recovering those rights and privileges which I am prepared to contend have been taken away from them by growing usurpations. No measure, therefore, which the ingenuity of a bit-by-bit Reformer could devise, would have been received with satisfaction by the nation; but, on the contrary, would not even have allayed for a moment the just discontent of a vast majority of the people of this country, when they contemplate that incomplete and unfair system of representation, which is all that the encroachments of wealth and power have left to them. Such a mode of proceeding, therefore, was liable to this fundamental objection, that nothing satisfactory would be effected by it, and that the general discontent which now prevailed would be left, after such a measure, as deeply rooted as it was before. I felt, therefore, that the most prudent and the safest measure of Reform would be a bold one, because, when I looked at the condition of the country—when I considered how just the claims of the people were—and when, above all, I reflected upon the absolute necessity of satisfying the respectable and reasonable part of the community, in order that thereby the Government and Legislature might be furnished with a ground on which a firm and safe stand might be made in defence of the principles of the constitution, if ever they should be really assailed—from all these considerations, I say, I was satisfied that nothing but a bold and decisive measure would give such general satisfaction and content as would set the question at rest.

This, then, is the course, and such the measure, upon which the Government has determined; and looking at the question in this view, and observing in what manner the discontent of the people has been directed against the present system of returning Members to Parliament, it is impossible for us not to see that those boroughs which are known by the name of nomination boroughs can no longer be suffered to exist.

Against them the public dissatisfaction has, and I think with great reason, been principally directed; and I am satisfied, therefore, that any thing which left this grievance unabated, would not only not be satisfactory, but that it would be much better to do nothing at all, than to allow such a flagrant abuse to remain uncorrected. And was it unnatural, I would ask your Lordships, that the people should contemplate this class of boroughs with such feelings? Your Lordships must, I am sure, answer this question in the negative, when you consider that under the form and name, but without anything of the reality, of an election, persons are returned to the House of Commons under the false and insulting title of Representatives of the people, while they are, in fact, the mere nominees of peers, or of wealthy persons, who pretend that they have now converted a public trust into their own private property, and that they have a right to use it for their own individual benefit, and without any reference to the interests of the people. Such is the feeling of the people, and how to get rid of that feeling without removing the cause of it, is a matter which I certainly do not understand. It has, I know, been said, that to remove this evil was not necessary; but how could anything short of this be satisfactory, when the people saw the scenes which disgraced every general election—when they witnessed the most gross and scandalous corruption practised without disguise—when the sale of seats in the House of Commons is a matter of equal notoriety with the open return of nominees of noble and wealthy persons to that House—when the people saw these things passing before their eyes as often as a general election took place—and when, turning from such sights, they recalled the lessons of their youth, and consulted the writings of the expounders of the laws and the Constitution, where they would find such practices stated to be at once illegal and inconsistent with the people's rights, and where they would discover that the privileges which they saw a few individuals converting into the means of personal profit, were privileges which had been conferred only for the benefit of the nation? Well, then, it was with these views that the Government had considered that the boroughs which were called nomination boroughs ought to be abolished. In looking at these boroughs, they had found that some of them were incapable of correction, for it was impossible to extend their constituency. Some of them consisted only of the sites of ancient boroughs; in others, the constituency was insignificantly small, and they were, from their local situation, incapable of receiving any addition to it; these circumstances rendered a correction of their Representation impracticable; so that, upon the whole, it had been considered that this gangrene of our Representative system bade defiance to all remedies but that of excision. It was therefore determined to abolish all those boroughs which stood in schedule A of the Bill; and in selecting these, they had been chosen with reference to the number of their inhabitants, as those numbers stood in the population census of 1821. The Government had adopted this mode, not because they thought there was any particular virtue in the number fixed upon, nor because they considered the mode itself as the best that could by possibility be devised, and as altogether free from objection, but simply because it gave them a ready means of drawing what might be a fair and impartial line, and of discovering in what boroughs it was possible, and in what boroughs it was impossible, to infuse such a constituency as would render the enjoyment of the franchise by them consistent with the real principles of Representation under the Constitution. Those boroughs into which no such constituency could be infused, it was proposed by the Bill to abolish altogether. There was, however, another class of these boroughs, to which, having a higher population, and there being moreover an easy mode of increasing their constituency, it had been thought right to continue the elective franchise. This class of boroughs, being placed by the Bill under certain regulations which would raise their constituency, would be deprived of one Member. The principle, therefore, upon which the Representation of this class of boroughs had been altered, was that of extending the constituency while their Representation was diminished. I know that this arrangement has been objected to as an anomaly, and that it has been said, that we ought in consistency to take away the franchise from those boroughs altogether, as well as from the boroughs in schedule A. Certainly this would be an objection were we forming a new system.

All I think it necessary to say in answer to this objection is, that it has been rather inconsistently urged by those who oppose this measure on the ground that it is too extensive, and that the reason of the anomaly is to be found in an anxiety to conciliate, as far as possible, the feelings of those who deprecate extensive changes. Besides, whatever inconsistencies and anomalies of this nature are to be found in the Bill, I know of no other mode of remedying them than the revision of the whole constituent body of the kingdom, and a division of the country into departments—a mode which is liable to the greatest possible objections, to objections of such a nature that I will not trouble myself or your Lordships by attempting to enumerate them. These, then, are the grounds upon which it has been proposed entirely to deprive of the elective franchise all the boroughs in schedule A, and to limit the exercise of the franchise in schedule B to the return of one Member for each. By this arrangement there will be taken from the number of Representatives, by schedule A, 111 Members, and by schedule B forty-one, which, added to two Members taken from Weymouth and Melcombe Regis, make altogether a diminution of 154 in the present numbers of the House of Commons. This being resolved upon, the next question that arises is, how the places of these Members are to be supplied. It is proposed—and the principle of the proposition has been sanctioned by the House of Commons, and now forms part of the provisions of the Bill on your Lordships' Table—that sixty-five Members shall be added to the Representation of the counties—that twelve large towns shall return two Members each, and that twenty-eight smaller towns shall return one Member each. This will leave, with the addition of one Member for Wales, a diminution of thirty-six Members for England and Wales. The intention of these arrangements is, to infuse new health and vigour into the Constitution, to lop off decayed branches, and to engraft on the parent stock new and healthful shoots, which shall bring forth good fruits; thus acting upon the principle of the husbandman—

> "Inutilesque falce ramos amputans,
> Feliciores inserit."

Such is the object which my colleagues and myself have in view; and this is the plan which I hope to show to your Lordships is not only unattended with dangers, but is calculated to give new securities and additional strength to our institutions, if your Lordships will agree to a measure which I am sanguine in hoping will receive your Lordships' consent. In the future Representation of the counties, under this Bill, all the present rights of voters are preserved, and freeholders remain in the same situation, with regard to the exercise of their franchise, as under the existing law. Every one who has now a freehold in possession will retain the right of voting. There is, however, a provision in the Bill with regard to future voters; and this provision is, that no one who has the grant of a freehold for life of less value than 10*l.* a-year shall be allowed to vote at elections for counties. This, it is expected, will, in a great measure, put a stop to that manufacture of votes, of the pernicious consequences of which your Lordships must be sufficiently sensible. The Bill also admits to the enjoyment of the elective franchise in counties all copyholders and customary tenants of estates of the value of 10*l.* a-year; all leaseholders for terms of sixty years of tenements of the value of 10*l.* a-year; and for terms of twenty years of tenements of the value of 50*l.* a-year; and all persons who occupy lands or tenements liable to a clear yearly rent of not less than 50*l.*, provided they have been in possession for twelve months preceding. This last regulation is one which I should certainly not have myself proposed. It has been projected and carried by persons not connected with the Government, and the Government are not answerable for it. I hope that it will be found to act well, but then it is liable to this objection—namely, that if the same influence be exercised over tenants in counties that has been exercised in other places, which it is not necessary for me now to name, it will be likely to generate a very strong feeling in favour of a regulation to which I am myself opposed, and in favour of which, as I believe, there is not a word in the petitions recently presented to this House, I mean the adoption of the Vote by Ballot. In this manner the Representation of counties has been settled by the Bill; and when we are told that the Bill will lessen the importance and diminish the weight of the landed aristocracy, I beg to ask the persons who hold this language, whether the addition of sixty-five Members to the county Representation, subject to the regulations which I have stated, can by possibility have the effect of diminishing the importance, or lessening the weight, of the landed aristocracy; or whether it may not be said, with much more plausibility, that the regulations with regard to county Representation under the Bill have rather a contrary tendency, and moreover to an objectionable extent in the eyes of many.

There are many other regulations, besides those which I have touched upon, with regard to elections in counties; but as these constitute the details of the Bill, and will therefore be much more conveniently considered in Committee, I will not trouble your Lordships with them now. The object of them all, however, is, to shorten the duration, and to diminish the expense of elections, and consequently, to render them more independent and more congenial to that free and full Representation, which, I shall contend to the latest hour of my life, is at once the unquestionable right of the people, and which, so far from being contrary to the principles of the Constitution, forms, in fact, one of the most prominent and most valuable principles of that Constitution. To the division of counties I know that many strong objections exist; but it ought to be recollected how necessary it is to diminish the expense and labour of the canvass of large counties; and also, what increased facilities and encouragement to contest the proposed addition to the county Representation, without this regulation, would give. Neither, I confess, can I see the force of the opposite objections which have been urged against this part of the measure, as I am confident that it will give no more power in particular districts than is at present attained by that combination among numbers of landed proprietors, which is constantly witnessed at every county contest under the present system. At all events, however, if these objections are good, they certainly come with a very bad grace from those who proclaim themselves anxious to uphold the weight and influence of the landed aristocracy. There are other regulations, into the detail of which it is not necessary for me now to go—such as that no occupier of property in a town, which gives him a right of voting in that town, shall have a vote in right of the same property for a county, and that thus no person shall have two votes for the same property; at the same time, that a freeholder in a town may retain his right of voting for the county in right of such freehold, if he does not himself acquire a right of voting for the town in respect of it. Intermediate tenants will no longer be allowed to vote; and other provisions of the Bill remove, for the future, all those difficulties which arise from the present system of land-tax assessment.

I now proceed to the right of voting in towns; but before I do so, I must again express my conviction, that the regulations with regard to county elections tend, one and all, to diminish the expense, and to increase the freedom of election. As to the right of voting in towns, the Bill provides, that the rights of all existing electors shall remain untouched, except only so far as they are interfered with by a provision which makes it necessary, that every elector for a town shall reside within seven miles from the place in which he exercises his franchise. By this provision, I hope it will be found that very beneficial results will be produced. It will obviously get rid of the enormous expense which candidates at present incur in the carriage of what are called out-voters; and then the great benefit of the provision is this—that it will obviate the inconvenience of throwing the election, as frequently happens now, entirely into the hands of the non-resident voters, who certainly ought not to be allowed to impose upon the electors resident in the town a Representative who is not acceptable to them. Thus then, with this exception only, the rights of the present electors in towns are preserved. But the constituency in towns is enlarged by the Bill, which gives the right of voting to all occupiers of houses which are assessed to the house duty, or poor-rates, at 10*l.*, or rented at 10*l.*, or are of the annual value of 10*l.* a-year. The Bill, however, provides that the owners or tenants of such houses shall have occupied them for twelve calendar months preceding, and that they shall have paid up the rates and taxes which have become due up to a certain period previous to the day of registration fixed by the Bill, in respect of the house, or tenement, for which they claim to vote; while, if a man claim to vote simply in respect of his being liable to a yearly rent of 10*l.*, it is provided, that in such case the payment of the rent due, up to a certain period previous to registration, must be proved, as well as the payment of the rates and taxes. Such, then, are the general outlines of the measure which the Government have proposed for the future regulation of the Representation of the people of England—a measure which, although it has received the sanction of a vast majority of the people, and has been sanctioned by the voices of their Representatives in Parliament, has nevertheless been exposed, on the part of some, to those very serious objections, the nature of which I stated to your Lordships at the commencement of the observations which it has become my duty this evening to offer to the House. It is necessary that I should attempt now to meet these objections. I have contended, and I must still contend, that the right of nomination, if I may miscall that usurpation a right, is not only no part of the Constitution, but is absolutely inconsistent with the most notorious and most universally acknowledged principles of the Constitution. Among the discoveries of modern times, however, the most remarkable undoubtedly is this—namely, that the practice of this flagrant and unconstitutional abuse is the only security on which we can confidently rely for the preservation of all those venerable and excellent institutions under which this country has risen to prosperity and power. It has been contended, with all the vehemence and earnestness of sincerity and truth, that albeit the theory of the Constitution is one way, yet that the practice of the Constitution is another and a different way. The theory of the Constitution is admitted to be a full, a fair, and a free Representation of the people; but then it is argued, that the practice of the Constitution is, that the Representation shall be neither full, nor fair, nor free, and that, by the continuance of this practice, and by the continuance of this practice alone, it is that the country can be securely shielded from dangers of the most appalling character. Yes, men of learning and character have actually been found elsewhere, who have gravely told their auditory, that unless Members of the House of Commons are allowed to be, not the Representatives of the people, but the nominees of Peers, of loan contractors, and of speculating attornies, all security for the happiness, the prosperity, and the liberty we enjoy, will fall from under us.

I really should have supposed, that at this hour—in the nineteenth century—when the schoolmaster is abroad, and when the growing intelligence of all classes of the community is daily and hourly receiving new lights—I should have supposed, I say, that, at such a time, it would only have been necessary to have such a proposition mentioned in order to have it met with universal derision and contempt. I will not do the intelligent part of the community of this country the injustice to suppose, that they can seriously entertain such a monstrous proposition for a moment; but then it has been urged, with so much petulance and pertinacity by the persons with whom the discovery of it has originated, that it becomes necessary to examine it more closely, and particularly to see how far this corrupt system is calculated to preserve, as it is said it does preserve, in an eminent degree, this, the aristocratic branch of the Legislature. It is singular, that in all the writers upon our Constitution—that in all the Acts of Parliament, from the earliest time to the present moment—that in all the works of the able and intelligent expounders of, and commentators upon, those acts—that in all the records of Parliaments, as well recent as remote—and, above all, that in the votes and proceedings and resolutions of the House of Commons, there is not to be found the slightest trace of a mention of the beneficial effects of this system of Representation, which is said to be the constant, the ancient, the necessary, and the indisputable practice of the Constitution. But it is still more strange, that all our laws, that all the proceedings of Parliament, and that all the resolutions of the House of Commons have been directed—and most properly directed, in the opinion of every constitutional writer—to guard, by all possible means, against this practice, which, in times past, has been considered as pernicious as it is unquestionably corrupt, but which has now, by a rare and unexpected discovery, been found to be the great bulwark of all those liberties and all those institutions which Englishmen hold most dear. Might we not naturally have expected, that if such men as Mr. Locke and Mr. Justice Blackstone, by some strange perversion of intellect, and by some extraordinary blindness with which they had no where else been visited in the course of their researches into the history of the Constitution of their country, should have failed to perceive and to appreciate the vast advantages of this ancient and laudable practice—is it not, I say, naturally to have been expected, that if Mr. Locke and Mr. Justice Blackstone committed this signal oversight, they would at least have abstained from denominating that practice a flagrant and disgraceful and pernicious abuse of our Constitution? Is it not strange too, that such men as Lord Chatham, Mr. Pitt, Mr. Fox, Mr. Grattan, Mr. Flood, and Sir George Saville, while they were endeavouring, with all their abilities and all their eloquence, to eradicate this practice, as though it had been a festering and destructive gangrene, which endangered the very existence of our Constitution, never discovered that they were directing their best powers to the destruction of all that ought to have been held most sacred, and of all that was most essential to the security of our best institutions, and, above all, to the preservation of that Throne, which it was the duty, as he was convinced it would be the pride, of every good subject to uphold? Have your Lordships forgotten too, that at the commencement of every new Session of Parliament, the House of Commons vote, as one of their Standing Orders, that it is unconstitutional and illegal, and moreover a high breach of the privileges of the Commons House of Parliament, for any Peer to interfere in the election of Members to serve in that House? Will your Lordships, in the face of such a resolution, declare that it is right for Peers to buy and sell seats in the House of Commons—that it is right for Peers not only to interfere in elections, but actually to return, by their own mere nomination, Members to serve in Parliament? and that they should persevere in doing this, notwithstanding that recorded resolution of the other branch of the Legislature? No one again, I apprehend, will be found to dispute this principle of the Constitution—namely, that the people ought not to be called upon to pay any other taxes than such as are imposed by the votes of their own Representatives in the House of Commons; and your Lordships are well aware, that so jealous is the House of Commons in the maintenance of this principle, that they will not suffer your Lordships to interfere with any money-bill—no, not even for the purpose of correcting the most trifling mistake, the most palpable oversight. Are your Lordships then prepared to say, that this principle of the Constitution is not violated when Peers are allowed to nominate and send into the House of Commons persons who, being there, are competent to propose, to amend, and to alter votes of supply, while Peers themselves are not allowed by the theory, and are positively restricted by the practice of the Constitution from meddling in the least degree with such measures?

That it was impossible to refute this reasoning so far as the theory of the Constitution was concerned, no one would be bold or senseless enough to deny. But then the opponents of the measure fix upon the practice of the Constitution, and ask, with an air of triumph, where is to be found, in the practice of the Constitution such a principle of Representation, as the supporters of the measure contended to be not only in conformity with the Constitution, but is moreover the only certain means of providing for the general security of the empire. I can only refer these inquirists to the practice of our ancestors, which will be found to be directed against that very system which now prevails, and to be in all respects calculated to guard against and secure us from those abuses which, from the abandonment of that old and wholesome practice, have grown to such a height, that the abatement of them is now so universally demanded, that your Lordships may be assured it cannot longer with safety be denied. In times past, did not the Crown issue summonses to towns, calling upon them to return Members to Parliament; and were not such summonses originally directed to such towns as were competent, by the number of their inhabitants and the extent of their resources, to obey such summonses? Is it not notorious, too, that such writs were withdrawn, as the places to which they had been formerly directed fell into decay, and sometimes upon the reduced inhabitants of such boroughs making application to be released from the burthen—for burthen it then was, of sending Representatives to Parliament? Is it not equally notorious, that the principle of the Constitution and the practice of the Constitution, too, in early times, were to transfer the elective franchise from decayed to flourishing places, and to call upon the latter to return Members to Parliament, when the former had become too insignificant to be intrusted with, or too poor to be able to execute, the duties of electors? I do not mean to say, that this prerogative of the Crown has always been properly exercised, or that it has not been abused and influenced by the preponderance of interests of great men, who contrived to get new writs issued to, and to have old writs retained by, certain boroughs, after they had sunk below the point at which it had, by the acknowledged principles of the Constitution, been deemed right to give them Representatives. Still, however, these facts are clear—namely, that the principle of the institution was, that elections were to be free, and that Representation was originally given to and taken from boroughs by the Crown, as those boroughs flourished or decayed. That Representation was so taken from boroughs, is a fact which is too well known even to require mention, had it not been said that the measure now before your Lordships ought, in consequence of the disfranchising part of it, to be denominated a measure of spoliation and robbery [*hear, hear*]. I hear some noble Lord assenting to that position, and I trust that the noble Lord will be good enough to favour the House with some reasons in support of it. In the meantime I will, with the permission of your Lordships, waste a few words in demonstrating what no one ought to be called upon to demonstrate, because it is as clear as any truth can possibly be—that there cannot possibly be the slightest foundation for the charge of spoliation and robbery, any more than there can be the least ground to deny that, if to take away Representation from the decayed borough be spoliation and robbery, that spoliation and that robbery is in strict conformity with the ancient practice of the Constitution. In the first place, then, I deny that the power of returning Members to Parliament is to be considered in the nature of property. It is not property, but a trust; and there can be no greater mistake than to confound the obligation of a trust with the rights of property. Property may be enjoyed—may be used—yes, and even abused, if not to the injury of others, without the interference of any one; but to trusts are attached ends to be attained and conditions to be fulfilled; and if those ends are defeated, or if those conditions are violated, the trust may be resumed without the slightest infringement of justice. In all cases of a private nature this is constantly done, and the trust becomes forfeited, and may be removed by process of law. Is it meant to contend, that there can be any difference between trusts like these and a sacred and solemn trust which is held for the benefit of the people at large? I apprehend that no one will be found to contend for such a proposition; and still less can I anticipate that any one will argue, that any prescription, any length of ill-gotten possession, can convert a trust. which has been conferred for the advantage of the people at large, into a property which can be the subject of barter and sale for the personal benefit and private advantage of an individual, whether Peer or Commoner.

Now, I should like to hear what answer can be given to this by the noble Peer, whoever he is, who seemed to assent to the assertion which I noticed as having been used by certain individuals, that the sweeping away of these boroughs is an act of robbery and spoliation? But if it be an act of robbery and spoliation, it is one which, we all know, has been committed over and over again—it is one that is consistent with the old practice of the Constitution. I have already shown to your Lordships, that several English Monarchs have refused to issue writs, when towns, which had been represented, had ceased to be populous. There are forty-four boroughs and one city, at the present moment, which formerly enjoyed the right of sending Members to Parliament, but which, in consequence of no Writ being now directed to them, are deprived of that privilege. Here they had a number of boroughs, almost as great as was contained in schedule A, deprived by the ordinary practice of the constitution of the right of sending Members to Parliament. But is there nothing done, in modern times, to show that that which is now called an act of robbery and spoliation, as attempted to be effected by the present Legislature, has been resorted to by precedent Parliaments? What, I ask, was the union with Scotland? The Legislature by that measure reduced the borough Representation of Scotland from sixty-five to fifteen—an act of most extensive and flagitious robbery, if this position be admitted.

Again, let them look to the union with Ireland. What was done there? Why, 100 boroughs sending no less than 200 Members to Parliament, were shorn of the right. Was that considered an act of robbery and spoliation? But it will be said, "Oh! there was compensation in that case. There was a remuneration given for the loss of property." I deny, that it was given as compensation in the correct and proper meaning of the word. If I must use plain and direct terms, I will say, that it was gross and scandalous bribery and corruption. It was, in fact, a monstrous bribe, taken from the public purse, to insure the passing of the Union Bill through the Irish House of Commons, and certainly cannot be quoted as proof of any existing property in those boroughs. My noble and learned friend, Lord Plunkett, reminds me, that twenty-eight of these 100 boroughs, which were restricted to one-half off their former number of Members, received no compensation at all. Then, if taking the whole off was a robbery, surely the taking a half off must be robbery also.

This fact clearly shows upon what principle the robbery and spoliation, as it is now called, in that case proceeded. But the question is not to be argued in that manner. The object to attain which remuneration was given, is perfectly notorious; and I trust, that your Lordships, considering what has passed, will take care not to fall into disrepute and disrespect with the people, by showing any partiality to a similar course. If the Parliament of Ireland had not fallen into total disrespect with the people of that country, the Union would never have been carried. But for that circumstance, the Act of Union never would have passed. Have I no authority for stating what I have done with respect to the proceedings which occurred when the Union with Ireland took place? Certainly I have, and very powerful authority too. I was present in the House of Commons when the late Mr. Foster, who had been Speaker of the Irish House of Commons, said openly, when taking part in a debate on the subject of the Union, that bribes of money were offered and accepted, and that Peerages were bartered for votes, in order to carry that measure [*hear, hear*]. I understand that cheer; and I have no hesitation in saying, that when the usual grace of the Crown, at the period of the coronation, was about to be exercised, I, holding a high situation in the Cabinet, would not recommend the honours of the Peerage to be bestowed on those whom I believed to be averse to this all-important measure; but, at the same time, I am perfectly certain, that individuals less likely to be improperly biassed in the expression of their feelings and opinions were never added to the Peerage than those who were called to it on that occasion. I will now return to the point on which I was speaking when this interruption occurred. When Mr. Foster had made the statement, to which I have referred, in the House of Commons, the late Lord Londonderry fired at it, and said, that Mr. Foster ought not to deal in insinuations. What followed? Mr. Foster immediately observed, "Mr. Speaker, I make no insinuations. I state, that in carrying of the measure of union with Ireland, corruption was practised, and bribes were received. Money was offered and money was received on that occasion. Is that an insinuation? I state these things thus publicly, and I am ready to prove them." Mr. Foster then sat down, and no answer was given to him. But suppose the proposition for an indemnity to be made—suppose it to be acceded to—what then became of the argument, that the property, as it is called, in these boroughs is essential to the Constitution—that it cannot be touched without the sacrifice and destruction of all that is most dear to us as freemen? What are we to say to a system which would tax, which would squeeze money out of the pockets of the people—to do what? to remunerate individuals for giving up that which they declare to be essential to the welfare of the Constitution, and to the prosperity of the country. I argue that it is not so; but, on the contrary, that the disfranchisement of the boroughs in schedule A is necessary, that the proceeding is recognized by the practice of the Constitution, as exemplified in the case of the forty-four boroughs and one city, to which I have before alluded, which were deprived of the right of sending Members to Parliament. The principle exercised in the formation of schedule A, is merely that of resuming a trust, and otherwise applying it, which, in these particular cases, cannot be used for the objects for which it was originally granted; and thus depriving those boroughs of the right of returning Members to Parliament, when that right could no longer be used advantageously and beneficially—I say, then, that in accordance with the ancient practice of the Constitution—with what was done at the Irish and Scotch Unions—still more with what was done by the Catholic Relief Bill, when all the 40*s.* freeholders were by one sweeping clause disfranchised—Parliament has a perfect right to make such alterations in the exercise of a public trust, as may be found necessary for the public welfare.

But it is said, "that the system works well, that hitherto it has worked well;" and then it is asked, "Will you, with the evidence you have before you of the high degree of prosperity, and power, and glory, which this country has attained, under what you are pleased to call a vicious system of Representation—will you, under these circumstances, venture to change that mode of Representation, and hazard the destruction of all your power and prosperity?" Now I must say, that this argument of "working well" goes a little too far. It would militate against the efforts of a people, who, without the slightest degree of liberty, endeavoured to attain that which was the dearest blessing in life, if it so happened that they lived under a prince who administered the government in a beneficial manner. It may be alleged with respect to them, that they ought to be contented with a bad form of government, seeing how humanely it was administered. That, however, was not a principle that would be acted on by the British Parliament. Their anxious feeling would be, to retain the blessing of freedom when they had it; and when deprived of it, to make every effort to regain it. One thing, however it may be praised, the present system unquestionably has not done—it has not conciliated the affections and feelings of the people. If it be necessary for every Government to possess the confidence and good opinion of the people, if that confidence and good opinion are necessary to inspire affection and create obedience to authority, then I must say, that so far from the present system working well, no system ever worked more unfortunately. I was not present a few evenings since, but I read in the papers what then occurred in this House, on the presentation of some petitions on the subject of Reform from Scotland. A noble Lord admitted, "that the Representative system in Scotland was too bad—that its doom was sealed—that it was too corrupt to last any longer." I believe that such is the fact, and the statement made by an hon. and learned friend of mine, in another place, proved that the system was absurd, monstrous, and ridiculous. In thirty-three counties of Scotland, the total number of freeholders was 3,255. Of these, not less than 800 had votes for different counties, thus reducing the actual number of voters to about 2,500. But in addition to this, it should be observed, that many of these votes are in the right of mere superiorities, which belonged to persons who have no property whatever in the places for which they voted. Taking these away from the number of voters, the whole constituent body for the counties of Scotland would amount to only 1,250 persons—a number not so large as was possessed by many of the small boroughs of England. This was allowed to be too monstrous; and the facts which I have stated are admitted to afford sufficient reasons for remedying the system. Argyleshire contained 97,000 inhabitants, and had only 113 voters. Of these, the number who possessed property was only thirty-one. Caithness had forty-eight voters, of whom only eleven possessed real property; Renfrewshire, with 115,000 inhabitants, had, including superiorities, 142 voters, of whom thirty-nine had property; Invernessshire, which comprised 95,000 inhabitants, had ninety voters, of whom only twenty-eight had any real property in the county; for Bute, there were twenty-one voters, of whom the number of those who held property was exactly one. The boroughs in Scotland are sixty-six in number, in which the electors consist of Magistrates, who annually re-elect each other, without any control by the people; and the whole number of electors in these boroughs is 1,440, or, on an average about twenty in each borough. In Glasgow, the population of which is 200,000, the electors are thirty-three, three-fourths of whom are below the average condition of merchants and traders: and here I may be allowed to observe, that in general, instead of being of a better description, in Edinburgh, Glasgow, and other boroughs in Scotland, the voters are far below the general average, in point of knowledge and intelligence, of those to whom the right of voting should be given. In Edinburgh, the population of which is 150,000, the number of voters is also thirty-three, not one of whom, or not more than one of whom, belongs to the upper-class. Glasgow, Aberdeen, Dundee, Perth, and other great, populous, and wealthy places, have only a fourth or fifth share in a Representative; Paisley, Greenock, Leith, Kilmarnock, and many other great towns, have no Representative at all. But why do I now allude to the state of the Representation in Scotland? I am not now about to introduce the Scotch Reform Bill; and I only refer to the state of the Representation of Scotland to illustrate the argument of the system working well in practice. If we look to its increasing prosperity, its power, and its wealth—if we consider the spirit of successful enterprise with which its people are endued—if we look to their industrious habits and their great intelligence—if those things are the criterion of a country's improvement, there is no country which can produce more witnesses of its improvement and prosperity than Scotland. In what country are the arts of civilization more highly prized and more extensively cultivated than in Scotland, under this very system of Representation which is now admitted to be so anomalous and absurd? But how has the system worked well in Scotland? It is under the English system of Representation. The whole of the present system of society in Scotland has grown up under the British system of Representation. The evils of the system were distributed over the whole; and yet the whole has been accompanied with a high degree of prosperity. From this state of prosperity it is stated—reasoning it cannot be called, but with a hardihood of assertion not often equalled—it is stated that the prosperity of the country is the result of the corrupt system of sending Members to Parliament, and that it would be dangerous to attempt to remove or interfere with this corrupt system. The forty-five Members for Scotland are only a part of the number of Representatives who are not sent by the people to the British House of Parliament; and if the principle of Representation in their case is bad, and offers no security for the rights and liberties of the people, how can I contend that the principle is not equally objectionable by which Members are sent by boroughs in England, in which the right of voting is equally restricted? How can I distinguish the Representatives of the Scotch superiorities, or the system under which they have been chosen, from the Representatives of Gatton or Old Sarum, and the corrupt system under which they also have been chosen? Why are the burgage tenures of England to be considered more valuable, or to be more highly prized, than the superiorities of Scotland? Why are the mounds and walls of Gatton or Old Sarum to be allowed to continue to return Members, when you alter, and no doubt properly alter, that system which reduces the number of voters really possessing property in a considerable county to one. It is difficult to separate the one case from the other; it is impossible, if you admit the necessity of an alteration of the system of Representation in Scotland, not to perceive that a similar alteration is necessary in England. If you admit that the state of the Scotch Representation is strange, anomalous, monstrous, and absurd, how can you avoid the inference—I should say the undeniable inference—that the Representation of England, as far as it is composed of the Members representing the decayed and corrupted boroughs, is equally strange, equally anomalous, equally monstrous, and equally absurd?

When you find that the results are, that places which no longer contain any considerable number of inhabitants return a large proportion of the Members of the Commons, and that those who, according to the spirit and letter of the law and Constitution, ought to take no part, and exercise no influence in the election of Members to serve in Parliament, have the absolute nomination of the Members who represent those inconsiderable places—when you know that this is the system in England, and compare it with the Scotch system of Representation, how can you, I ask, retain the one and abandon the other? The system which prevails in the borough Representation of England is not upheld by any of the writers on our Constitution. On the contrary, it is reprobated by all authority, by all reason, by the statutes, and by the common law of the land. The removal of this vicious and corrupt system, so far from tending to endanger the Constitution, in my opinion, will tend materially to improve and strengthen it. And here, my Lords, this brings me to consider how much the continuance of the system of nomination boroughs contributes to the real weight and influence of this House. In the first place it is to be considered, that the power of nominating Members to sit in Parliament is not enjoyed by this House in general—it is not enjoyed by your Lordships as a body in the State—but it is enjoyed by a few wealthy individuals amongst you, who exercise the power for the improvement of their own separate interests. The power, therefore, is exercised and enjoyed only by a few, whilst the odium falls upon the whole body. The system is odious to the people, and shocks their senses; and on your Lordships, as a body, the odium rests. By getting rid of the system, then, you remove the odium, and the Peerage, as a body, lose nothing. As I said before, only a few of your Lordships exercise this power of nomination; and the power is not exercised exclusively by Peers; other wealthy persons possess it, and share it sometimes with loan contractors or speculating attornies, who make use of this power with no other object but to promote their private advantage. Then the power of nomination is liable to continual transfer and change. It may leave your Lordships' hands altogether, or it may accumulate in the hands of an individual to such an extent, that this power would not only become odious to the country—for that it already is—but it might become inconvenient to the Government of the country, by rendering it, in a great degree, dependent upon the person who possessed this power. A Government so situated, instead of being able to acknowledge real claims and merits, and to reward them with the emolument of office, must necessarily be compelled to admit other claims, and might not be able to refuse the claims of those persons who had great parliamentary influence. I contend, that, by taking away this power, your Lordships will not lose any real advantage, but, on the contrary, that you will be put upon terms of equal advantage with those who now enjoy a monopoly of this unconstitutional power, and will get rid of a considerable degree of odium, a portion of which you are all at present obliged to bear. By agreeing to give up this power, you will be relieved from a weight of odium—you will secure your own independent influence, and that high estimation in the public mind which you ought always to possess. My Lords, I am far from being one of those who maintain that it is useful or advantageous that any branch of the Legislature should stand rigidly upon the exercise of its own rights and privileges. I think that such a strict and rigid assertion of the peculiar and distinct rights of one body in a State might bring it into opposition with the others, and cause collisions which might possibly be productive of the most dangerous consequences to the country, We are now in that fortunate state of society, in which all orders are blended together by a feeling of common interest; and those interests are so closely identified, that, no matter to what class any individual belongs, if he possesses nothing but its legitimate influence, the great probability, and the natural inference is, that such influence will be used for the general advantage. Though I am the last man, then, to propose to retain the influence which enables any Member in this House to interfere in the elections of Members of the House of Commons—an interference that cannot be too strongly condemned,—yet do I propose that your Lordships should be deprived of any part of your legitimate power or influence? God forbid! The respect due to your rank, and the influence which, from property, you necessarily possess, will belong to you after the passing of the Bill, as fully and in as great a degree as they now do. The Peers of this country have not, and I thank God that they have not, any of those exclusive immunities or privileges which belonged to the old nobility of France. The nobility of this country are mixed and blended with the people. They share all their burthens—they partake of all their benefits —they unite in the discharge of all their duties—they are landed proprietors—they live on their estates—they perform their duty as Magistrates—they are known as neighbours; in all these ways, and many others, they acquire esteem and confidence, which are given not so much on account of their rank, as in consideration of their good conduct, and the kind offices they bestow on those around them.

The respect which the people of this country are always willing to pay to rank is doubled, as is its value in their sight, when accompanied by good conduct, and the disposition to do good. This is one species of influence which your Lordships possess, and so far from being contracted, it will be extended by the measure which I propose to you. The odious power which is possessed by some of your Lordships does not help to increase that legitimate influence which I have endeavoured to describe; and I verily believe, that if you resolve to maintain the nomination boroughs, the whole voice of the United Kingdom will be raised against you. Then, indeed, will that security, which you now possess for the maintenance of your rights and your property, be shaken. It is not quite so great a sacrifice as some would represent that you are now called upon to make. You are asked only to give up that which is odious, unjust, and unconstitutional, and by retaining which the security of this House may be shaken. This is to be done securely by endeavouring to reform that which, in the present state of light and knowledge, and when its effects are felt by the people, cannot, I am satisfied, be maintained, whatever may be contended to the contrary, for any considerable length of time. You have the power now to reject this Bill; but your rejection does not set the question at rest. The influence which your Lordships possess, in the Representation of sixty-five old boroughs, may be taken from you by this Bill; but the Peers and the landed interest are not thereby deprived of their influence in the Representation; that influence is rather increased by this Bill, and nothing is taken away but the odious power possessed by the few, and from which the Members of this House, as a body, derive no benefit.

It is on these principles, undoubtedly, that I endeavour, however feebly, to call on your Lordships to concur in the measure which has received the sanction of the other House, and which has been hailed with a more unanimous expression of satisfaction, throughout the country, than, I believe, any measure of any description has ever before elicited. I have trespassed too long, perhaps, on your Lordships, in endeavouring to press the former part of the subject on your attention; I shall now endeavour to bring before your Lordships convincing proof that this measure has received the almost unanimous approbation of the country. Your Lordships have already had some discussion on this subject in the early part of the evening, and on former occasions similar discussions have taken place on the presentation of petitions. I know that, taking advantage of those desultory discussions, some noble Lords have declared, that the people are acting under a delusion, and that all the excitement which now prevails would soon pass away, like other matters which excite surprise for the moment. Such a feeling, I am aware, prevailed at the close of the last Parliament. So strongly was that idea implanted in the minds of many, that, on the dissolution of the last Parliament, it was asserted (no doubt by very wise persons) that the result of the new elections would be decidedly hostile to the principle of Reform. Your Lordships all know how perfectly fallacious that prediction turned out to be. To show the feelings of the people on this question, I need not recur to the petitions which have been presented to your Lordships—presented to an extent which, I believe, was never equalled on any other occasion—and signed by greater numbers than have ever before approached your Lordships' House. I will not advert to these petitions, because I shall be told, that the Peers, uninfluenced by any extrinsic circumstances, must rigidly and determinedly perform their duty; and, besides, it would be doubted whether these petitions represented accurately the state of the public feeling. But when I see that these petitions are not the result of previous application—when I see that they arise from the spontaneous feeling of the people—when I perceive them moving forward in crowds and eagerly pressing to your Lordships' Bar—when I reflect on the petitions that have already been presented, and consider those that are about to follow, I cannot, for a moment, doubt what the sentiments of the great body of the people are. Then, however, the friends of the Bill were met with another statement—and they were told that this was a system of intimidation, and that the Peers were too spirited, too courageous, too independent a body to concede any thing to intimidation. Now my Lords, I am the last man, or one of the last men in this House, who would counsel yonr Lordships to yield any thing to menace—I speak not the language of menace, nor of one who would ask your Lordships to submit to menace—I say, resist popular violence, do not give way to popular clamour—but listen to the fair and reasonable, and to the universal wishes of the people. No Government can safely disregard public opinion; and least of all a Government, founded like this, on free principles.

I conjure your Lordships, then, as you value your rights and dignities, and as you wish to transmit them unimpaired to your posterity, to lend a willing ear to the Representations of the people.

I entreat your Lordships to pause, and consider well before you come to a decision on this question—a question with reference to which nine-tenths, I believe I am below the mark in stating it at this, but certainly nine-tenths of the people have expressed their opinion—respectfully it is true, but in a tone too loud not to be heard, and too decisive to be misunderstood.

If you still doubt the sentiments of the people, if you think their anxiety for Reform will pass away I would conjure you not to lay the flattering unction to your souls! Do not believe that the desire for Reform will abate. Do not believe that if this measure be rejected, a more mitigated and less comprehensive one can be substituted in its place with safety; entertain and cherish no such hope; the time is past when a smaller measure of Reform would satisfy the people; you must either take this Bill, you must, I repeat either adopt this Bill—or you will have instead of it, a call for something infinitely stronger and more extensive!

Disregard clamour then, I say again to your Lordships, but consider the importance of public opinion, honestly expressed; and, if it be necessary, yield to it! Am I then urging your Lordships to do anything contradicted by former examples? What was it that induced the Ministry of a former day to grant concession to the Roman Catholics? Did the noble Duke state that his opinions were altered? Did he retract the sentiments he had previously entertained on the subject? Did another leading member of the government, a Member of the other House of Parliament, one who was only second to the noble Duke himself in influence, state that his opinions were changed?—or did he not rather found his introduction of the measure of Catholic Emancipation upon the necessity of the case, and the expediency of yielding to popular opinion, when it could no longer be resisted without endangering the peace of the country?

When the noble Duke was attacked, bitterly attacked in this House, on the ground that he had abandoned his principles, and was accused as a traitor to the cause in which he was formerly engaged, I endeavoured to vindicate the noble Duke. I defended the conduct of that noble Duke on this ground—that a statesman was obliged to shape his course with reference to the feelings of the people and to the situation of the country. In bringing forward this measure, I have no such process to go through, I have no explanation to give, I have no apology to make; what I now propose is consistent with the opinion which I have held during the whole course of my political life. But if it were otherwise, following the example of the noble Duke, I would say, "The time is now come; things can no longer remain as they are; we must do something for the removal of a system which has long been odious in the eyes of the country; we must endeavour to restore to its original purity that Constitution which has been the admiration of mankind, and which, for ages, has been the object of imitation in every part of the world where any attempt has been made to establish free institutions; we must labour to render it consistent with its original objects; we must toil to restore it to its original character; and this can only be done by removing the blemishes which have caused those objects to be lost sight of, and by taking away the defects by which that character has been obscured and defiled." Again I call on your Lordships not to yield to intimidation or menance; but in the same voice I entreat you not to refuse that which is just, and reasonable, and proper. With respect to the general feeling of the people, I am fully borne out in my statement by the fact. I wish your Lordships maturely to consider, from the evidence before you, whether I am or am not correct in what I assert. I think that, upon due reflection, you will find that one opinion, and one opinion only, is generally maintained upon this question out of doors. Your Lordships may dispute the authority of petitions; but can you dispute the appeal which was made to the people at the close of the late Parliament? On the occasion to which I have already alluded—that of the Catholic Question—Sir Robert Peel, in opening the debate in the House of Commons, stated the great change which had taken place in the opinion of the public, and the impossibility, under that change of sentiment, of any longer continuing the exclusion of the Roman Catholics from a full participation in the benefits of the British Constitution. I have, in a former debate, quoted the sentiments of the right hon. Baronet; but as they are so much more striking with reference to the present question, I shall again cite them. The right hon. Baronet held, that the great criterion of public opinion—that the most practical and constitutional mode of ascertaining the sense of the people, upon any given question—was to be found by taking a number of the great counties and towns in England, and seeing how their Representatives voted upon the question. In pursuance of this principle, the right hon. Baronet referred to the votes given on a preceding debate on the Catholic claims by the members for seventeen principal counties — those of York, Middlesex, Lancaster, Devon, Kent, Surrey, Somerset, Norfolk, Stafford, Dorset, Essex, Hants, Lincoln, Gloucester, Wilts, Warwick and Suffolk; and what was the result? Why, of these counties, both the members for Middlesex, Norfolk and Stafford voted in favour of those claims; both the members for Somerset voted against them; those for all the remaining counties, including York, were equally divided; the result being that nineteen Members had voted for, and seventeen Members against Catholic Emancipation. And the right hon. Baronet considered that a bare majority of two was sufficient to satisfy him, that the public feeling was greatly altered, and that the system of exclusion could no longer be persevered in. The right hon. Baronet next considered the way in which the Members for twenty-two towns had given their votes on the same occasion. The towns were London, Westminster, Southwark, Liverpool, Bristol, Norwich, Nottingham, Newcastle-upon-Tyne, Leicester, Hull, Preston, Exeter, Coventry, Chester, Yarmouth, Derby, Ipswich, Worcester, Aylesbury, Carlisle, and Colchester. Of these towns, both the members for Westminster, Southwark, Nottingham, Newcastle, Preston, Chester, Yarmouth, and Derby, voted in favour of the Catholic claims; both the members for Bristol and Exeter voted against them; both the members for Ipswich were absent; of the members for Worcester, one was absent, and one against; the same of Colchester; and the rest were equally divided: the result being that twenty-six members voted for concession, and sixteen against it. Thus, in the counties selected by Sir Robert Peel, it appeared that nineteen Members were in favour of Emancipation, and seventeen against it—and that in the twenty-two towns which he had selected, there were twenty-six members for, and sixteen against Emancipation; so that a majority of two Members upon the Representation of seventeen counties, and of ten upon that of twenty-two towns, was sufficient to satisfy the right hon. Baronet; and he argued that a great change having been thus practically proved to have taken place in the sentiments of the people on this question, it became necessary to yield to the popular feeling. Now, how stood the question, in the last Parliament, when a division was taken on the Reform question? Taking the same seventeen counties selected by Sir Robert Peel, it would be found, that both the members for Middlesex, Lancaster, Devon, Surrey, Norfolk, Stafford, Wilts, Warwick, and Suffolk, voted for Reform; both the members for Hampshire against it; of the members for Yorkshire, three voted for, and one against it; and the rest were equally divided; the result being, that twenty-seven Members voted for the Bill, and nine against it; leaving a majority of county Members sufficient, I should have thought, to satisfy any man who was before satisfied with a majority of two. How was it with respect to the towns? Of the twenty-two cities and towns, the members for Liverpool, Bristol, Leicester, Chester, and Carlisle, were divided; both the members for Ipswich voted against the Bill; of the members for Colchester, one voted for, and the other was absent; of those for London, three voted for, and one against: all the rest voted for the second reading of the Bill; and the result was, that thirty-seven Members were for, and eight against the measure, there being one absent. This was the majority in the last Parliament in favour of Reform; and this, I should have supposed, might have been considered decisive of the necessity of the measure by any one who took the majority of those who represent large counties and towns as a fair criterion of public opinion. But how stands the case now? Of the seventeen counties and the twenty-two towns, every Member voted for the measure. So that, instead of proportions of twenty-seven to nine, and thirty-seven to eight, here, in those counties and towns which were selected as the cream of England you have not a majority, but an unanimous vote in favour of the Bill. If this were not evidence of the public opinion being in favour of the Bill, I do not know what public opinion is.

But perhaps the counties and towns selected by Sir Robert Peel were not fairly selected. Let us see what the general results are, as shown by the division on the second reading in the present Parliament; of eighty-two Representatives of counties in England, seventy-six voted for the Bill, and six against it, being a proportion of about thirteen to one on the county Representation. This session, only six county Members voted against the Reform Bill. In the large towns, not included in either schedule, out of 206 Members, 150 voted for the Bill, forty-six against it, and ten were absent. We come now to the Members representing boroughs in schedules A and B. There we find that the account is very much changed—seventy-six Members for boroughs in schedule A voted against the Bill, and twenty-two in favour of it—of Members representing boroughs in schedule B fifty-six voted against the Bill, and twenty-six for it. The Members for boroughs in schedules A and B therefore formed the largest proportion of those who voted against the second reading. They amounted, including two members for Weymouth, which loses half its Representatives by the Bill, to 134; the whole number of English Members who voted against the Bill was 186, from which deduct 134 sitting for boroughs wholly or partially disfranchised, and who have therefore a direct interest in opposing the Bill, and the number is reduced to fifty-two. But the deduction to be made does not even stop here. There are certain places in which close Corporations have the power of returning Members; the right of voting in these places is limited to a few persons, and the Bill proposes that all those corporations should be opened. All those representing close corporations, therefore, had a direct interest in the voting against this measure; and how would it stand if these were deducted from those who voted against the Bill? Forty-six Members for boroughs not in the schedule, including those for the two Universities, voted against the Bill; twenty-four of whom sit for places in the hands of a small number of voters. After deducting these twenty-four then, the result is, that not more than twenty-eight Members representing counties and populous places, and deserving the name of Representatives of the people, voted against the Bill. Now, I would ask, whether any man, who is not blinded by prejudice, can for a moment doubt, that the public opinion has been fully and decisively expressed on this question? I would ask your Lordships, whether you are prepared to reject a measure which has been agreed to by the Representatives of the Commons of England, with the dissent of only twenty-eight who can be fairly called Representatives of the people. Even this number of twenty-eight might be reduced by a more strict analysis; but I will admit that number, as speaking the voice of a portion, though a small portion of the people.

Again I would say to your Lordships, that I ask you not to assent to clamour, but I beg of you to consider whether you can with safety reject a measure sanctioned thus by the united voice of the people of England, as expressed by their Representatives in Parliament; founded so decidedly, not on any new theory, but on the original and undoubted principles of the Constitution.

But we are told, if there is danger in resistance, there is danger also in concession. It is said, if you once concede, where will you stop? This is the old doctrine, which has led to so much ruin. But is it true that this ruin has been produced by concession? I think not. Was it concession that lost the kingdom of the Netherlands to Philip 2nd? Was it concession that overturned the government of Charles 1st, and led him to the scaffold? No, my Lords, it was the faithless attempt he made to resume those rights which he had reluctantly granted. Was it concession that created those discontents which disturbed the end of Charles 2nd's reign, and which obliged his successor to abdicate the throne? Was it concession that lost us America? Was it concession that destroyed the old monarchy of France? I know it has been said that it was concession that overturned the monarchy of France; but I derive a different lesson from that event. I am fully persuaded, that if the old nobility of France had done what I counsel your Lordships now to do—not to disappoint, but to meet the wishes of the people—if the French nobility had done this—if they had stood by their monarch, and he had conscientiously adopted those measures which would have satisfied them, I believe that he and his family would now have been on the throne of France, and that most of the evils which have since come upon the world would have been avoided. To come down to the more recent periods. Was it concession which produced the last Revolution in France, or was it not an attempt to wrest from the people those rights and privileges which their monarch had guaranteed to them in the charter? I implore your Lordships to consider all these and many other examples with which history furnishes us, and to concede before it is too late, and while concession may yet be useful—to make concession while it may possess the grace of being voluntarily yielded to the public opinion, and before it shall lose that grace, and be utterly ineffectual. You see, from what has occurred in other times and other countries, how advantageous it is to concede in time. What the people are satisfied with at first, will not satisfy them afterwards. This was the case with America. I know, my Lords, that some persons make a different application of those facts of history, and say, "see what are the effects of concession; when you offered to the Americans all they required, they would not accept it." But their refusal is easily explained. All the people of America desired in the first instance, was the exercise of their just rights and privileges. These were pertinaciously and obstinately refused, and what was the result? These rights you had refused in the insolence of your strength; an ineffectual offer of them was forced from you in the hour of defeat and humiliation. But it was too late, and you were compelled to sign a treaty of separation and independence. You had taught them their own power—they had thrown themselves into the arms of France, and you were forced to consent to a separation, because you refused a timely concession to their reasonable demand. I could adduce other instances of the unfortunate results of the refusal or delay of concession, but what I have mentioned are sufficient, I should hope, if duly considered, to impress on your Lordships the strong conviction which I feel of the dangers which must attend the rejection of a measure supported by the nearly unanimous wish of the nation. One more instance I may mention of the disadvantage of the refusal of concession in time. I lament, as much as any man can, the unsettled state of Ireland. I regret that after the Catholics have obtained those concessions they so long applied for, and to which, as it appeared to me, they were always entitled, both in policy and justice, after those concessions, for which the country is so much indebted to the noble Duke, were made to them, I regret, I say, to see that peace and calmness, and returning prosperity and commerce have not immediately followed the grant of their claims. But what is the inference I draw from this unfortunate result? Not that concession to the Catholics was bad policy, as some, incapable of understanding and of feeling, might suppose, but that it was too long delayed. If, fortunately, the Catholic claims had been conceded twenty or thirty years ago, when all those men most distinguished in the nation for wisdom and talent, but who have since gone to their account, were its advocates, my firm belief is, that as there is no country which possesses greater natural advantages, and more capability of improvement, no part of his Majesty's dominions would have now been in a more prosperous and flourishing condition, and we should have avoided those internal dissensions by which it has been since distracted.

You refused to concede, however, and delayed until concession was extorted from you by necessity. You taught the people the consciousness of their power, and, having attained that power, they were unwilling to lay it aside; but, whether unwilling or not, you, by a course of proceeding which I lament—against which I did not venture to vote, although I could not vote for it—you, I say, by pernicious adjuncts, took from the measure that grace and favour which would have recommended it in the sight of those to whom it was applied. I say, therefore, my Lords, concede in time—concede freely, generously, and not reluctantly; not as if what you granted were an extorted capitulation, rather than an act of mercy and benevolence. I say, therefore, concede in time—meet the wishes of the people. Look at the Representation of the people; see whether it is liable to those imperfections and defects which I have stated, and, if it be so, take a bold, decisive and effectual step to remove the complaints of the country, and place the Constitution upon a rock where it shall be unassailable, and safe from all danger. Again, my Lords, I beg to disclaim the use of menace or intimidation; but you have a measure recommended from the Throne, sent to you by an overwhelming majority of all those who can be called the real Representatives of the people in the other House of Parliament—urged by petitions of thousands and tens of thousands of the people, from every part of the country—petitions, too, respectfully worded, and from which have disappeared all those topics that have formerly given offence—all those claims for extravagant changes, to which no man is more opposed than I am. Consider, my Lords, whether, after that recommendation from the Crown—[*cries of "order" from the Opposition, and cheers*]. I allude to the King's Speech [*cheers, and cries of "read it"—have it read*]. I cannot imagine that I am not at liberty to refer to it. Every one remembers the Speech from the Throne. We did in that Speech recommend the measure to the consideration of Parliament; and it is absurd to imagine, although his Majesty's Ministers are responsible for the contents of the Speech, that such a recommendation could come into it against the wishes of the Monarch. I consider, therefore, that I am perfectly within the rules of the Constitution and of Parliament in referring to it; but if the topic gives offence I will abandon it. Will your Lordships reject a measure sanctioned by an overwhelming and irresistible majority of the Representatives of the people in the other House—the people themselves, at the same time, roused and agitated from one end of the country to the other, crowding earnestly to the bar of your House, and claiming a restitution of their rights? Will the House of Lords place itself in opposition to the people, and negative, by rejecting the second reading of this Bill, the expectations so ardently entertained, and the wishes so reasonably formed?—

If your Lordships could, by possibility, place yourselves in unanimous opposition to the people, and to the wishes expressed by the general voice of the country—although, from what I have stated, I believe it to be almost impossible that such should be the case; but if the measure could possibly be rejected by a decided majority, or with any thing like unanimity, I take upon myself to state, that your position, opposed to the general wishes of the people, would be most critical, and far from safe. If the Bill is to be rejected by a narrow majority, I beg of you, my Lords, to consider the consequence. Do not flatter yourselves that it will be possible by a less effective measure than this to quiet the storm which will rage, and to govern the agitation which will have been produced. I certainly do, my Lords, as I said before, deprecate popular violence. As a citizen of a free State, and feeling that freedom is essentially connected with order, I resist violence: as a member of the Government it is my duty to maintain tranquillity; but, as a citizen, as a member of the Government, and as a Statesman, I am bound to look at the consequences which may flow from rejecting this measure. And although I do not state, as the noble Duke did on another occasion, that the rejection of the measure will lead to a civil war—I trust it will not produce any such effect—but still I cannot conceal from your Lordships my apprehension, that the result of its rejection will be most dangerous to the best interests of the country. Upon your Lordships then, as you value the tranquillity and prosperity of the country, I earnestly call to consider well before you reject the measure.

I will now, my Lords, venture for a moment to address myself to one part of your Lordships' House—the right rev. Prelates on the benches near me; and while I assure that most reverend and right reverend body, that no man is more sincerely attached than I am to the maintenance of all the rights and privileges of the Church—no man holds in higher veneration the purity of her doctrines and the soundness of her discipline; though I acknowledge the high estimation in which the Prelates at the head of her establishment are deservedly held by the country, the excellent example which they present in the discharge of their spiritual functions; yet let me at the same time respectfully entreat those right rev. Prelates to consider, that if this Bill should be rejected by a narrow majority of the lay peers, which I have reason to hope will not be the case; but if it should, and that its fate should thus, within a few votes, be decided by the votes of the heads of the Church, what will then be their situation with the country. Those right rev. Prelates have shown that they were not indifferent or inattentive to the signs of the times. They have introduced, in the way in which I think all such measures ought to be introduced—namely, by the leading members of the Church itself—measures of amelioration. In this they have acted with a prudent forethought. They appear to have felt that the eyes of the country are upon them; that it is necessary for them to set their house in order, and prepare to meet the coming storm. I implore them to follow, on the present occasion, the same prudent course. They must be conscious that there are at present many questions which may take a fatal direction, if, upon a measure on which the nation has fixed its hopes, and which is necessary for its welfare, the decision of this House should, by means of their votes, be in opposition to the feelings and wishes of the people. They are the ministers of peace; earnestly do I hope that the result of their votes will be such as may tend to the tranquillity, to the peace and happiness of the country. I will not press this matter further; but as regards the whole of your Lordships, spiritual and temporal, I trust that the possible consequences of the rejection of the Bill will be most seriously considered by your Lordships before the decision of the present question.

As to the effect which the rejection or adoption of the measure by your Lordships may produce to me, or the Administration of which I form a part, it is not necessary for me to say much, for that is perhaps a matter of insignificance. I have declared before, and I now declare again, and I am not a man apt to recede from what I have said, that by this measure I am prepared to stand or fall. If it should be rejected, the question of my continuance in office, even for another hour, must depend upon my seeing any reasonable prospect of being able to effect a measure to which I am pledged, as I think, by every tie of private honour, by every obligation of public duty to my sovereign and to my country. I wish it to be distinctly understood, my Lords, as I have stated, that I certainly do not think that the danger which might be attendant on the rejection of this measure can be obviated by the introduction of one of less efficiency. If any such measure is introduced, it will not be by me. I distinctly stated before, and now repeat, that I never will be a party to holding out any delusive measure of Reform to the people—when I am convinced that they have a right to expect a constitutional

Reform to the full extent of what I have now proposed. I am convinced that the people will not cease to urge their rights, and will not rest satisfied till they have obtained them, and that disappointment at present will not have the effect of reducing their demands. If your Lordships shall reject this, you will, it is more than probable, have to consider hereafter, not a less efficient measure of Reform, for I am sure that no such measure will ever succeed, but one in which much greater concessions will be demanded. Once more, before I sit down, I earnestly implore your Lordships to consider what will be the consequences of the rejection of this measure; and whether, if even rejected now, it can be finally put aside. May you therefore, my Lords, be wise in time—may your Lordships profit by the example set before you, and avoid those dangers which will inevitably arise from your rejection of this measure, and secure, by its adoption, peace and conciliation in the country—may you, under the guardianship of that Power who presides over our destinies, pronounce such a decision as shall conduce to the advancement of his glory, the good of his Church, the safety, welfare, and honour of the King and his people.

My Lords, I have now done; and, with my humble and sincere tribute for the patience with which you have borne, I fear, too great an intrusion upon your attention, I put the measure into your hands with an anxious hope as to the result——I wish I could say with perfect confidence—but still with a hope that your Lordships will find it such a measure as you may sanction, as being a measure calculated by its acceptance to produce immeasurable good, as its rejection would create incalculable mischief. My Lords, I move that this Bill be now read a second time.

Lord *Wharncliffe* next addressed the House. Their Lordships, he observed, would readily believe, that he felt fully sensible of all the difficulties under which he laboured in rising to address them on this occasion. Those difficulties, which, under any circumstances, would be great, considering the importance of the subject, and the consciousness of his own inability, were increased by the speech which the noble Earl had delivered. The noble Earl had told their Lordships, that his Administration would stand or fall by this measure; and he also broadly intimated, that if they did not pass this they would have to pass something worse; that the demands of the people would not be satisfied even with the concessions which this Bill gave; but in looking at a change in the Constitution of this magnitude, he was bound to consider how far he could consent to it, before he took into his consideration whether or not any other measure might be proposed on its rejection. If the House did not think that it was a measure to which they could consent, they were bound to refuse it. Why, he asked, were they to accept this particular measure and no other, and to declare that acceptance, too, of the whole measure on the second reading? The whole tone and tenor of the noble Earl's speech was—that if their Lordships did not accept this Bill, they would, in the first instance, break up the whole Government; and then, that no other measure would be sufficient to satisfy the people.

Earl *Grey* here observed, that what he said was, that no less efficient measure would be sufficient to satisfy the people.

Lord *Wharncliffe:* He so understood the noble Earl, but he repeated, that they were bound to consider this without any reference to the nature of any future measure. He would, before he went further, beg to guard himself against any admission, because every admission that he made was turned against him, and he was called upon to make further admissions; he would therefore guard himself, at the present stage, against any admission with respect to the nomination boroughs. Supposing that the Members at his side of the House could be brought to say, that such boroughs ought to be done away with entirely, that the whole of the House of Commons should be popularly elected, and that the noble Earl's Bill should be adopted in all its parts, he said that the present Constitution of King, Lords, and Commons could not go on under such a system, but that we must make up our minds to a republic as well as we can. He had listened with great attention to the noble Earl's speech—to all he had urged on the subject of this Bill—but he owned, with no slight disappointment; for while the noble Earl dwelt at great length on the anomalies and disadvantages of the Constitution as it now stood—or of the old Constitution, as he might call it—he had not said one word of any advantages which they might expect from the new one. In what he was about to say, he was anxious to guard himself against being misunderstood. Supposing that he were ready to admit, that the system of Representation in Scotland required improvement—supposing he was disposed to admit, that no Member should be allowed to sit in the House of Commons who was not a *bona fide* representative of the people,—supposing that he were willing to accede to the principle of the Bill to this extent—still there would be enough of the Bill left to change the Constitution, as far as affected the relative position of the three estates of the realm with respect to each other, and to make it impossible that the Government consisting of three independent estates of King, Lords, and Commons, could be carried on. There was enough left in the Bill to absorb into the power of the House of Commons the whole power and privileges of that House, and, perhaps, of the Crown itself. The Constitution could not, in his opinion, go on with such a system as this Bill would establish, even conceding those parts of it only to which he referred. But the noble Earl had not told them how the measure was likely to work. The noble Earl had only pointed out what he considered the objectionable parts of the present system. Now he must contend, that it was not enough for the noble Earl to tell their Lordships of the defects in the Representation in Scotland or England: he was bound to go further, and show that those defects would be effectually remedied by the plan which he proposed, and that, too, without introducing still greater and more inconvenient anomalies than those which he pointed out. He was not disposed to deny that the system of Representation in Scotland was in a state in which it might be desirable to make some improvement; but he denied that that improvement was required by any corruption in that system. He would admit that it might be desirable to render the Representation in that country more popular in its character; but then the fact that it was not so much so as other parts of the United Kingdom should not be taken as any proof of the corruption of the whole, for the Scotch Representation should be taken as a part of a whole which worked together and worked well. They should look at the effect of the representative system of England, Ireland, and Scotland as one whole. That of Scotland might have its defects, but those were corrected by the whole system of Representation taken together. One of the alleged anomalies which the noble Earl would wish to get rid of was that of nomination boroughs. With respect to the nomination boroughs, he would just say, as he had observed in what he had addressed to their Lordships before, that he did not defend the nomination boroughs because they were nominated by peers or persons of great wealth. He was far from defending them on that ground; but he said, that their use was this—that in the House of Commons they acted as a check upon those Members who were more popularly elected, and diminished popular commotions, from which danger was always to be apprehended. He could not deny that there was in the principle of nomination boroughs something which it was difficult to defend. But the question to be put to the people of England was this: was there not some good in these boroughs, however anomalous or improper they might be in principle? Was there not in the working something which might induce us to admit them into the Constitution? He would not go so far—and here he spoke merely his own judgment—he would not go so far as to say it might not be possible to devise other modes of checking the popular voice in the House of Commons. But, as the boroughs now stood, they were the only check upon popular violence; and as they were going to send up so large a proportion of that species of Representation—as this Bill constituted so large an additional number of popular Members—he said that some check was the more necessary. By the regulations of this Bill, the whole strength of the Legislature would be in the House of Commons. The House of Lords would be nothing, and it would be well if the Crown itself could stand before it. Did he make these statements merely from his own authority? Would the noble Earl and his colleagues use their eyes and ears? Would they see, and hear, and read, what the people who were most clamorous for this measure said? They felt that this Reform, as it applied to their wants and wishes, was nothing; but they knew that, all checks upon popular power being removed in the House of Commons, every thing would be at their mercy, nothing could stop in front of the people. They laughed at those supporters of the Bill who imagined that it was the ultimate object of their desires. The noble Lord who introduced this measure into the other

House had applied to the Tories, or Anti-Reformers as they were called, the words of Cromwell at the battle of Dunbar—"The Lord hath delivered them into our hands." But it should be recollected that there was another party besides the Tories. There was, undoubtedly, a party in the country who wished to establish a republican government; and they said of the supporters of this Bill, "The Lord hath delivered you into our hands." If you pass this Bill, you will at once part with all your power, of which we shall immediately avail ourselves." He, for one, could never consent to part with that power with which their Lordships were invested, and which served as a salutary control upon the too violent expression of popular feeling in the other House of Parliament. One objection made to their Lordships on this occasion was, that they were connected with those boroughs which it was proposed to disfranchise, and that, in opposing the Bill, they were swayed by their own interests. For his own part, he would say, that he was connected with one borough, and he denied that his vote on this occasion would be in any degree affected by that connexion. Their Lordships knew him, and he would appeal to the whole of his public life, and ask, whether it was such in any part of it as could induce any man to suppose that he would allow himself to be influenced in this discussion by any feelings of that kind. He was as ready as any man to sacrifice his personal interests for the sake of his country, but it should first be proved to him that the sacrifice he was ready to make would be productive of good; that the Constitution would be safe in the change which was about to be made. He would not follow the noble Earl into the details as to the various anomalies of the present system, but he would beg the indulgence of their Lordships while he pointed out what he believed to be the fact, that this measure was one of the greatest delusions ever practised on the public—a measure more full of anomalies than any that had ever before been introduced into Parliament. The first alteration in the present Constitution of Parliament to which he should allude was, the future mode of voting in boroughs. The Bill, in order to captivate certain classes of persons who constitute the great body of the inhabitants of the large towns, gives the elective franchise to 10*l.* householders. He thought that this qualification was much too low. It was so low, that in all populous towns, especially where it was made up of rents of 3*s.* 10*d.* a-week paid during the year, and not of a rent of 10*l.* paid at once for the whole year, the step between it and Universal Suffrage would be very small indeed. He was sure that the noble Lords opposite, and the hon. Gentlemen in another place, who had first introduced this plan of Reform, had got frightened at this monster of their own creation. Everybody recollected the manner in which the qualification was changed from a rent of 10*l.* merely, to a rent of 10*l.* reserved on leases payable half-yearly. A powerful Press was looking on every operation connected with this Bill; and as soon as this alteration was perceived by it, a loud demand was raised that it should be withdrawn. The authors of it immediately perceived the dilemma in which they had involved themselves, and became most anxious to be extricated from it. It was, therefore, said, that the alteration was an inadvertence. Was he to be told that a Government which was making the most important changes that were ever proposed in any Constitution, was acting on inadvertencies? He said, that it was the duty of Government to consider minutely, not only every clause, but every word and every letter of every clause in the Bill. When he heard this plea of inadvertence brought forward as a defence of the Government, he felt himself compelled to tell the Government, that they were bound to know what was their own meaning, and also to employ such agents as would put their legislative measures into an intelligible shape. The vacillation which the Administration had displayed upon this point, convinced him that they had become afraid of this very measure of Reform which they had themselves concocted. He had only to look at this Bill as it stood on its introduction before Easter, and as it stood at the present moment, to be convinced that Ministers had become afraid of this creature of their own hands. They had so surrounded it with clauses about registration, and periods of occupation, and so on, that he was convinced that, so far from every householder of 10*l.* enjoying a franchise under it, not more than one-tenth part of such householders would be enabled by it to give their suffrages at any election. He knew that it would be said, that if there were anything in this argument, it was an argument which he, of all men, ought not to use; for the more guarded and limited the elective franchise was, the more likely would it be to meet his views, and to obtain his approbation. He would, however, never consent to legislate in any manner which, whilst it kept the promise to the ear, broke it to the hopes of the people. If he intended to give them a 10*l.* franchise, he would give it them fairly, and without equivocation; he would not give it them in such a manner as tied them down with an incapacity to receive it. If he had conceived that a 10*l.* franchise was a proper franchise, he would have placed the law on such a footing that all persons should have found no difficulty in enjoying the franchise which the law gave them. No man, under the regulations of this Bill, could enjoy the elective franchise who had not been fifteen months in the house which he occupied. That was the very earliest period at which any householder could obtain a right to vote; the general period would be, after an occupation for a period of from eighteen to twenty months; and if, by any accident, the landlord should then give the occupying tenant notice to quit, or if the occupying tenant should quit of his own accord, the occupying tenant would lose his franchise, and might be, for all that number of months, without a vote. What he would have done, had he had to alter the elective franchise on a democratic principle, would have been, to establish it on a scot-and-lot principle. He had now done with the 10*l.* qualification clause; he should proceed, in the next instance, to object to the number of great towns to which this Bill gave the privilege of Representation. That number showed him—and it was one of his main reasons for voting against the Bill—that the principle of the Bill was not property, but population. Such a principle was a rule-of-three principle, which, when once established, could never stop—which must, of necessity, be variable, and liable to a vast multiplicity of future changes—and which, if it ever did produce the rest of which the noble Earl had spoken, must produce it at a period yet very far distant. He contended, that too large a proportion of the great towns was introduced by this Bill into the Representation. He thought, that it was impossible for any man who saw the great wealth embarked in the manufactures of the country, and the great interest which the manufacturing towns had in the proper expenditure of the State, to deny that those towns were entitled to have some share in the Representation of the State. Admitting, as he did, the justice of that proposition, he still thought that proposition a very different thing from a proposition entitling every town with a population of 15,000 inhabitants, to return Members to Parliament. There was no such right inherent in towns with that population, neither was it expedient that such a right should be conceded to their inhabitants. In the county of Lancaster, and in the West Riding of the county of York—districts, with both of which he was himself personally acquainted—there were certain trades and manufactures confined to certain towns only. Now, he did not conceive it to be necessary that each of those towns should have the privilege of returning Members to Parliament in order to have their respective interests properly represented. For instance, in the West Riding of the county of York, he thought that six Representatives would, along with the Representatives of the county, be quite sufficient to represent its trading interests; and with that number of Representatives, the voice of the county Members would not be exposed to the danger of being overwhelmed by the voice of the Members of those towns, who, from the mode of their election, must, on all occasions flatter the popular feeling. In complaining of the number of places which were thus brought within the constituency, he did not mean to require that there should be an exact balance struck for the landed interest. Admitting, however, that the noble Earl was acting on a fair principle, and that he was bound to give to the landed interest something to balance the pressure of the towns, still he must contend that this Bill was likely to prove a delusion on the landed proprietors, as the provision which affected their interests, was framed in the same spirit as that which he had already described as affecting the 10*l.* householders. First of all, Ministers commenced by giving two Members to each of the three Ridings of that county with which he was more particularly connected; then they gave two additional Members to certain other portions of counties; and, lastly, they concluded by adding one Member to a certain number of counties. Now, if Ministers had really wished to balance the Representation of towns, they ought not to have sought the means of obtaining that balance in those counties where the manufacturing interest preponderated, but in those counties where the agricultural interest predominated. If they had done that, they might have talked about their desire to find a balance for the agricultural against the manufacturing interest. In going, however, to the counties which Ministers had selected for their operations, they had put up what they called a balance, which was no balance at all. No one could as yet tell what would be the effect of giving additional Members to the different counties. For, in the first instance, the Bill did not give these additional Members to the counties directly. It enacted that the counties were to be divided, and Ministers had sent down Commissioners to divide them. The Commissioners had already begun their labours, although, in point of fact, the Bill which called them into existence, had not yet been read a second time in their Lordships' House. He (Lord Wharncliffe) must know something of the proceedings of these Commissioners before he could pretend to speak decisively of the influence which the new county Representatives would exercise in the other House of Parliament. He must know how the counties were to be divided before he could know anything of the influence which would predominate in the different districts. He would take one county with which he was acquainted, the county of Stafford. If in that county the line were drawn, where it most naturally would be drawn, the four Members for that county would be returned by one class of the population alone. Again, in Warwickshire the division might be so made, as to place the Representation entirely in the hands of the manufacturing interest. Their Lordships, therefore, ought to be acquainted with the different divisions of counties, before they proceeded to give their approbation to this new fangled system of Reform. Another point about counties to which he would refer was, the clause which prevented persons having votes in towns, from voting for the same property in counties. On that clause he must remark in the first place, that the intention of the Bill was, that persons who voted in towns, should not, for the same property, have the right of voting in counties also. That clause appeared as if it withdrew from the freeholders in towns the right of voting for their freeholds in the county. But he apprehended that no such thing would take place under the Bill. When this clause should first come into operation, it might, to a certain degree, diminish the votes for county elections, which depended on freeholds in towns; but he was satisfied that when the provisions of this Bill should be fully known to the public, it would turn out that the number of voters in counties who were inhabitants of towns would be but very little diminished, in consequence of the facility which the qualification would establish for the creation of 10*l*. voters. The Bill would only exclude those persons from voting in counties who had no other freeholds than the premises from which they derived their right of voting in towns. If they happened to have other freeholds, then, beyond all question, they would retain their right of voting in counties. There were some towns in which nearly all the tenements were held under one person upon long leases. Let their Lordships consider what the natural consequence of such a state of things would be. Let them look, for instance, to the county of York. In the West Riding a canvass had already commenced, in anticipation of the dissolution threatened under this Bill, and all the question of success in that case turned upon the votes of a town in which it was expected that the county constituency would be most materially diminished. Two hon. Gentlemen, who were friends of his, and at that moment members for Yorkshire, had already canvassed that town; and in that town, where it was generally believed that the greatest number of county votes would be destroyed, it turned out that the majority of votes still remaining unimpaired were sufficient to decide the election. He therefore denounced this Bill as a delusion on the landed interest. That interest would gain little from the Bill in agricultural districts, and in the manufacturing districts would be completely overpowered by the opposite interest. Then came the other provisions as to the increase of voters for the Representatives of counties. First the copyholders were taken in; then the leaseholders of twenty years and upwards; and then, last of all, the tenants at will to a defined amount. He was ready to admit, that the increase to the county constituency on this last head did not proceed from his Majesty's

Ministers; but that it was imposed upon them by a noble Lord, a friend of his, in another place. In his opinion, the addition to the county constituency from this source was any thing but an improvement. *Prima facie*, it gave an appearance of weight to the landed proprietary; but the working of this clause would be this—that if any landlord ever exercised the power given to him by it, he would be placed in the same disagreeable and obnoxious situation in which many high-minded individuals who wished to get rid of refractory tenants were placed under the present system. This clause, connected with the 10*l.* qualification clause, would place a great number of the new-made voters entirely at the mercy of their landlords; but their Lordships would deceive themselves egregiously, if they imagined that the exercise of such a power on the part of the landlords would not lead almost instantly to the Vote by Ballot. If you make every election throughout the country a popular election, the only way in which a quiet man, unused to public speaking and to the crowding and jostling and sarcasm of the hustings, can be protected, will be by means of the ballot; and that mode of election would certainly end in the introduction of the Vote by Ballot. Then came another ground put forth by the Government; he meant that this Bill would be a final settlement of the Reform Question. It was impossible that it should be so. He had already warned their Lordships on this subject. He had warned them that the persons who were now most clamorous for Reform had plainly declared to the country that they would not stop here. All of their Lordships who had read the public journals lately would want no other proof to convince them of the correctness of that assertion. In the other House of Parliament the matter had been clearly given up—for there the noble Lord who had introduced the Bill had fairly admitted that the Bill could not be final. That noble Lord had said that the question now was, "Will the people be satisfied with the Bill?" for, if they were not, Parliament must needs go further. He (Lord Wharncliffe) fully agreed in that opinion. Ministers had already opened a door to the demands of the people—they had told the people that they were entitled to a full, fair, and free Representation in Parliament; and the people would insist on having that Representation in perfect conformity with the ideas which they entertained of a full, fair and free Representation. These were some of his principle objections to the Bill. But, said the noble Earl, "in spite of all these your objections, do not mutilate the Bill." The noble Earl likewise said, "Do not negative this Bill on its second reading." Why not? Had he (Lord Wharncliffe) the slightest chance of obtaining any alteration in it by letting it go to a Committee? His noble friend opposite nodded his head, as if he thought that there was some chance. The country, however, had had sufficient experience upon that point. Many persons had voted for the second reading of the Bill in the House of Commons in hopes of amending it afterwards in Committee; but every person who had the slightest experience in Parliament was well aware, that when a Bill brought in by Government was read a second time, it was a matter of extreme difficulty to make any alterations in it in Committee. He thought that this Bill was dangerous in the extreme, and that, in spite of all the petitions which the people had sent up in favour of it, the people were deluded and not satisfied by it. The noble Earl had told their Lordships to look at the petitions which were now coming up to them every day from the country. He could assure their Lordships that he had looked at them, and that he had looked at them with respect. He had been obliged to the people for their kindness, as had many others of the noble Lords whom he then saw around him. He had been placed by their kindness in a high and proud situation; and his view of their petitions on the present occasion was, that their object was not so much this Bill of Reform, as Reform of some description or other. Their cry was, "We must have Parliament reformed;" but it was not, "We must have Parliament reformed by this Bill." If he had entertained any doubts on this subject before, there were many circumstances connected with these petitions which would have tended to remove them. He would tell the noble Lord who had said that the feelings of the people were not changed with regard to this Bill, that they were changed, and that their meetings no longer retained the same character which they bore originally. There was a certain portion of the Press which still trumpeted forth those meetings as an expression of the feelings of the people; and yet he knew that those who had got up those meetings, were perfectly ashamed of the manner in which they had turned out. Their Lordships knew that of their own knowledge, for they mixed with the people, and were not removed from the people; "Our estimation," said the noble Baron, "depends not on our titles here, but on our characters out of doors. We mix with the people, and it is impossible not to see that this Bill is despised by the people. I ask the noble Earl to walk down St. James's-street, or down Bond-street, and then, if he goes into the shops of those streets, and asks the opinion, not of any person whom he may meet there, but of the shopkeepers themselves, I will undertake to say, that he will find them ashamed of the measure; indeed, so disgusted with it, as to declare that they will have none of it." The noble Baron then proceeded to notice the observation of the noble Earl on the other side of the House, that their Lordships had received petitions signed by great numbers of the people. He was not, as he had said before, inclined to undervalue such petitions; but these petitions, he contended, ought not to be taken as the signs of the sentiments of the people generally—they were rather the signs of the sentiments of that portion of the people which had long been accustomed to follow party views. Take, for instance, the requisition which had been presented to the High Sheriff of the county of York for a public meeting on this very Bill. It was a call upon the High Sheriff, coming from a great number of persons of the first respectability in that county. It was, in short, an exceedingly respectable requisition, and must meet with attention from any High Sheriff. But the individuals whose names were attached to it were the same men with whom he had been fighting in political hostility during all his public life. Sometimes that hostility placed him in situations which were not always agreeable; still that hostility, being solely of a political nature, never disturbed the sentiments of private friendship which he and his opponents mutually felt for each other. The gentlemen who had put their names to this requisition were old Parliamentary Reformers; still they were not in sufficient numbers to convince him that the great body of the freeholders of Yorkshire were in favour of this Bill. Their Lordships must take care that they were not deluded into the notion, that because a vast number of petitions had been placed upon their Tables, those petitions spoke the universal feeling of the country. "But then," said the noble Earl, "if you will not be convinced by the number of these petitions, what do you say to what followed on the dissolution of Parliament?" He was ready to confess, that on the late dissolution of Parliament the Reforming candidates had been successful in a most astonishing degree, and that their opponents, the adversaries of Reform, had, in many instances, not dared to go to the poll. But even in the election which followed the late dissolution, he had not found a fair expression of the popular will. He should not have alluded to the late dissolution, and to the circumstances which arose out of it, but for the observations of the noble Earl opposite. There were, however, circumstances attending that dissolution of Parliament which rendered it very unlikely that that appeal to the people should obtain a declaration of the real feelings of the people of England. Matters were so conducted, the King's name was so used, that he was convinced that the people considered the late elections as a struggle between the King and the boroughmongers, one of whom he admitted he was. The best feelings of the people—their loyalty and their attachment to their Sovereign—were naturally roused by such representations, and if the noble Lords opposite wished to gain a triumph by the appeal which they then made to the people, he would admit at once that they had gained it. The Whigs had certainly defeated the Tories by making use of the King's name. He had hitherto endeavoured to show that this Bill was a Bill pregnant with evil; he would now proceed to prove, that if a House of Commons were once elected on the principles of this Bill, it would, in the first place, inevitably cramp the Crown in the exercise of its prerogatives, and in the next create a body in the House of Commons so irresistible as to make the decisions of their Lordships on all public questions on which the two Houses differed null and nugatory. He had said, first of all, that this Bill would cripple the just prerogatives of the Crown. He thought that their Lordships would not deny, that one of the first prerogatives of the Crown was its power of choosing its Ministers. Hitherto, when any man had been chosen by the Sovereign as Minister, he must have been, previous to that choice, a Member of Parliament. Now, if that Minister should happen not to be a rich man, and if, after vacating his seat by his acceptance of office, he should have to stand, in the borough or county which he represented, the expense of a contested election—for let not noble Lords imagine that after this Bill was passed election contests would be carried on without any expenditure in money—if that Minister should be unable to bear the expense of that contest, or if, by some fault or by no fault of his own, he should happen to be unpopular, he would then have no means of getting, as had been the case with all the Ministers of his day, at some time or other into Parliament by means of a nomination borough; and he, therefore, would have some difficulty in finding his way into Parliament at all. As Members of the House of Peers, their Lordships might not feel personally interested in such a matter; for they might think that in that case the Ministers of the Crown must in future be all Peers. He was, however, convinced, from long experience in public affairs, that the business of the country could not be well transacted unless the Ministers had seats in the House of Commons. He would further say, that this House of Commons, entirely depending for its formation on popular election, and affording no possibility for any man to arrive at a seat in it except by the favour of the people, would become too much the image of the people; and, being so, it would be impossible that 300 or 400 titled persons should have the power of arresting its movements. The danger which at this moment surrounded their Lordships proved the accuracy of his position. They had now a popular House of Commons—indeed he might say, a delegate House of Commons. That House of Commons had passed this measure, and their Lordships were now told in every possible manner, by pamphlets, by speeches, by public meetings, and by petitions, that nothing was left for them to do but to record and to register the decree of the House of Commons. This ought to be a warning to their Lordships as to their future fate, and a guide for their present conduct. By the late dissolution of Parliament their Lordships had seen a delegate House of Commons called into existence: close their eyes as they might to that spectacle, they could not avoid seeing that the present House of Commons was, as he had predicted it would be, a mere House of delegates. Such of its Members as had voted for the second reading of the Bill, in the hope that its provisions might be altered in the Committee, had discovered their mistake when it was too late, and had in consequence, been laughed to scorn by their opponents. Such also would be the fate of their Lordships, if with the experience of the past before them, they should be weak enough to pursue a similar course. This, too, ought to be a lesson to their Lordships. A House of Commons elected on the present system had been found almost too powerful for the House of Lords. How, then, would their Lordships be able to resist a House of Commons elected according to the regulations of this Bill? He had nothing further to state upon this part of the measure. He did not object from any personal motives to the Bill, because it got rid of the nomination boroughs. He would give no opinion at present upon those boroughs; but on the rest of the Bill he would frankly avow, that he considered it as the subversion of the monarchy, and as the destruction of the House of Lords. Their Lordships were not in a situation to try the experiment of a new Constitution. They had already a Constitution which had produced them incalculable advantages. There might be anomalies in it—there might be corruption—if there were, let their Reform be directed at once to those points, and do not let them be made the groundwork of a system of Representation, better perhaps in theory, but worse, infinitely worse, in practice. Our Constitution had consisted of King, Lords and Commons; their Lordships should take care that it continued to consist of the same elements. [*cheers.*] He understood those cheers, and he promised the noble Lords who raised them that they should soon be met with an appropriate answer. Their Lordships had next been told to beware of what they were then doing. They had been told that this Bill must pass, or that something worse must happen. Their Lordships were told every day that their House was sinking in public estimation, and that, if it did not vote in favour of this Bill, it would soon be found that the people could do better without the House of Lords, than the House of Lords could do without the people. If the people thought that they could do without the House of Lords, they probably might be mad enough to attempt it; but he would venture to tell them, that if ever the people took such a step, they would themselves be the first to repent it. If an hereditary Parliament were really of no use to the country, then the sooner it was got rid of the better. It might be an anomaly in the State, but it was an anomaly which, on more occasions than one, had been found of the greatest service. The people owed their liberties to the House of Lords; and on no occasion had the Peers of England ever been found hostile to those liberties. Their Lordships were now accustomed to hear daily the language of Revolution—they were told to be cautious lest they should be cashiered. In a periodical journal, which had been published that day—he meant the "*Westminster Review*"—there was inserted among the fly-leaves a slip which contained the following words:—"The question of Reform or Revolution is rapidly approaching its solution in Great Britain. The honest part of the Radicals have done their duty in endeavouring to promote the first, and are quite ready to take their parts in the other, whenever it shall please the powers that be, to turn over that leaf in the nation's history. It is loudly affirmed that the Lords intend to reject the Bill; and therefore every man has a week or ten days to consider what he will do next."* Such was the language held out to them by this popular publication; and similar language was addressed to them every morning when the public newspapers were placed on their tables. He begged leave to say, that their Lordships had but one line of conduct to pursue on this occasion. They had to satisfy themselves that the Bill was safe to pass into a law. If they did not satisfy themselves on that point, they would not do their duty to the country. It was said that they would still continue Peers—that they might act as a deliberative assembly, and pass Turnpike Bills and other measures of no consequence, but that, because the House of Commons had passed a Bill for changing the constituency by which they were returned, and which involved an entire and total alteration of the Constitution of the country, they, sitting there as Peers and hereditary Counsellors of the Crown, whose duty it was to act between the Crown and the people, giving weight to the liberties of the latter on the one hand, and power to the prerogatives of the former on the other, were not to reject the measure if they should be of opinion that it was not a safe one. If the people were tired of the House of Lords—if they no longer considered them a necessary part of the Constitution—in God's name let them say so, and they were ready at once to walk out of the House. The country, however, expected the House of Peers to do their duty. Their duty was to consider the Bill which had been proposed, and to vote upon it according to their consciences and to the best of their judgments, and he entertained no fear that the sensible part of the country, when they saw their Lordships perform their duty would be discontented with them for it. The noble Earl had addressed a few words to the right reverend bench. He would follow that example. True they were the ministers of peace. It was their business to preach peace amongst all men. But what did those right reverend persons sit in that House for? Was it for their own sakes merely? No, it was to represent the interests of the Church. The interests of the Church were in their hands. Those reverend Prelates must be aware, that the feeling of the great body of the ministers of the Church was against the Bill, and that it had been manifested conspicuously on more than one occasion, and it was their duty not to flinch from voting against the measure. He had now nearly finished all he had to say. He had, by the favour of his Sovereign, been placed in that House, to give his opinion fairly on any subject which might be brought before him. No man saw more clearly than himself the evil consequences which would result even from the rejection of the measure; but the motives on the other side were so strong as completely to overpower all anxiety on that account. He besought the Peers of England, as they valued their character—as they valued the station which they held, either by the favour of their Sovereign or by inheritance—to show that the Peers of England, when called upon to do their duty, would not be intimidated by menaces, or guided by interest. He placed great reliance on the good sense of the people of England. He had never known them to act unjustly towards those who were influenced by a conscientious sense of duty. He fearlessly left it to the people of England to form an impartial opinion of the conduct which the House of Peers would pursue upon this occasion. The noble Lord concluded with moving as an Amendment, that all the words after the word "that" in the original Motion be omitted, for the purpose of substituting these words, "this Bill be rejected."

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* Westminster Review, No. xxx., p. 1.

Earl *Grey:*—Then the noble Baron's Motion is to the effect that the Bill be rejected altogether.

Lord *Wharncliffe:*—Such certainly was the object he had in view.

The Lord Chancellor put the question.

The Earl of *Mulgrave* said, that the greater part of the speech of his noble friend who had just addressed their Lordships was directed exclusively to details which could only be properly considered in the Committee; yet he had concluded with a Motion, which, if carried, would preclude the possibility of the Bill ever reaching a Committee. His noble friend began by stating, that the noble Earl at the head of the Government had, by his explanation, very much increased the difficulties in which the House was placed. He agreed that if the House should come to the conclusion which his noble friend wished them, their difficulties would be increased by that speech. Why?—Not because the noble Earl held out any threat, for he had not done so, but because he had, in a philosophical and Statesmanlike manner, stated the reasons why the Bill should be read a second time. One reason why the House should not proceed to reject the Bill was to be found in the large majority by which it had been sent up from the other House of Parliament. It was evident that in spite of the conclusion to which his noble friend had come, he made many admissions in the course of his speech which were not very acceptable to some of those to whom he addressed them. He was rather disposed to think that his noble friend had entered into a compromise with those about him to this effect—namely, that they were to listen to his arguments provided he gave them the benefit of his vote. After his noble friend's admission, that nomination boroughs were an anomaly which ought to be got rid of, he was surprised that he proposed the positive rejection of the Bill. His noble friend had likewise stated, that large towns had a strong claim to have Representatives. These admissions were totally at variance with the positive denials of all Reform which the House had been accustomed to hear from those with whom his noble friend acted on this occasion. The tables were turned upon the opponents of Reform. Formerly it was an accusation against the Reformers that no two of them agreed; but now it was difficult to find any two Anti-reformers agreeing. Many of the details of the Bill, particularly that with respect to the franchise, could only be properly considered in the Committee, and therefore he hoped that his noble friend would withdraw his Amendment, and allow the Bill to go to a Committee. His noble friend had given some extraordinary instances of the change of public opinion with respect to the Bill. His noble friend had walked up Bond-street and heard the shopkeepers declaim against the Bill. No doubt he had a very pleasant walk, but he might have turned his steps to some of the populous towns in his own neighbourhood. He thought that his opinion would have been more deliberately formed and entitled to more weight, if it had been founded upon the state of public opinion in the large manufacturing towns, rather than on the notions of a few shopkeepers in Bond-street. The good sense of his noble friend prevented him from denying the existence of blemishes in the present system, which he called anomalies. He was willing to remove those anomalies, but at the same time he wished all power to remain in the hands which at present possessed it. Upon that point he was at issue with his noble friend. He trusted that the Bill would not be rejected, for it had met with an extraordinary degree of approbation and concurrence in all parts of the country. But whether the Bill should be rejected or not, an efficient Reform must take place—such a Reform as would no longer leave in the hands of Peers the power of nominating Members. That only would satisfy the people. In arguing against the disfranchising part of the Bill, his noble friend had assigned a reason which had often been urged before. He said, that if boroughs should be disfranchised to the extent proposed by the Bill, there would be a difficulty in finding seats in the House of Commons for Ministers. Now nobody would contend, that if the Ministry were popular, there would be any difficulty in finding seats for its Members; but it was said, that if the Ministry should be unpopular, they could only get into the House of Commons through some rotten boroughs. This argument was thought very clever before the dissolution of Parliament took place. When that event occurred, the feeling of the electors in favour of Reform was expressed in the most decided manner. Not a speech was heard from the Anti-reformers, until at length the first attack on the Bill and the Government proceeded from Harwich, a borough which had been used for the purpose of returning Ministers to the House of Commons. Nothing could more clearly show that the thing to which the boroughs clung was not the persons of Ministers or the Government of the country, but corrupt patronage. As long as that system of corrupt patronage continued, the boroughs were of use to return to Parliament Members of the Government, but they were of no use to an honest Government, which determined to discard patronage. There could not be a better proof of the sincerity of Ministers with respect to patronage than the introduction of the Bill. It was said, that the Bill would throw all the power into the hands of the people. What better control could there be over Ministerial patronage, than a House of Commons elected under a Bill which was said to have this effect? His noble friend also objected to the enfranchising part of the Bill, and, amongst other things, complained that there were to be only six Representatives for the West Riding of Yorkshire. That was a point which his noble friend might properly consider in the Committee. He was surprised to hear his noble friend contend, that additional Representatives should be given to the counties which were thinly peopled, rather than to those which were extremely populous.

Lord *Wharncliffe*, in explanation, stated, his observation was, that, considering the injury which would be done to the agricultural districts by certain provisions of the Bill, it would be better if additional Members were to be given to counties; that the Members should be conferred upon the smaller and agricultural counties than upon the larger and manufacturing counties.

The Earl of *Mulgrave* was sorry that he had misunderstood the noble Lord, and proceeded to say, that with respect to the dissolution, upon which the noble Baron had spoken with such earnestness, there never yet was an occasion upon which the Sovereign was more fully justified in making an appeal to the people. Never was there a period in the history of the country, when a much greater change had taken place in the views, and feelings, and political objects of the Government, and never yet was there a change which in the least approached this in magnitude and importance, which was not followed by a dissolution. It was necessary that a new Parliament should be called to relieve the Ministry from the manifold difficulties under which they laboured, in assuming power after so long an exclusion and, under so many circumstances of exceeding disadvantage. For a time, however, the Government were anxious to avoid a dissolution, but difficulties were industriously multiplied around them, and they were at length forced into a measure which they would have, if possible, declined. And now it was asserted, that an alteration had taken place in the public feeling respecting this Reform Bill: the same assertion had been made immediately after the dissolution; and how was it sustained? Never was there a more decided manifestation of popular feeling than upon that occasion. What was the result of the election? Of the twelve county Members who stood forward as the most violent opponents of the Bill, only one was returned for his own county as a Representative of the present Parliament. Though all had expressed, in the delivery of what proved to be their last dying words, high hope and confidence, only one was successful in the contest. The noble Baron said, that if it pleased the country that the House of Lords should no longer exist, they were ready to walk out; but for himself he declared he had a very different idea of the stability of their station, and it was, that they might without envy or reproach, maintain that station, that he now supported this measure. For one, he conceived it was a slight sacrifice on their part to secure all their just rights and privileges, by simply resigning the unconstitutional power of exercising influence upon the other branch of the Legislature. The noble Baron said, that if this Bill passed, their Lordships would not thenceforth have the power of resisting any measure which was sent up to them from the House of Commons; but this he contested, and he appealed to history in support of his view of the question. The two Houses of Parlament had differed before, and measures sent up by the other House had been successfully resisted by their Lordships. But it might be asked, although their Lordships had resisted successfully before, were they likely to do so hereafter against a reformed House of Commons? He contended they were, and maintained that the change in the Representation could not injuriously affect the relative position of the two Houses. He begged to remind their Lordships, that the House of Commons had once consented to the expediency of a measure for altering and reforming the Criminal Law, contrary to the opinion held by the Administration of that day, and yet their Lordships had rejected it. He regretted that they did. He believed it was an inexpedient step upon their part, and he trusted they would take an opportunity of retracing it hereafter. But here, he contended, was a manifest proof of their Lordships' power and independence. There was, however, one great distinction between the exercise of their Lordships prerogative in this case and in the case of the Reform Bill. In the one it was impossible to accuse them of any sinister motive; was it thus in the other? Considering the influence many of their Lordships were known to possess in the other House, was it possible, should they reject the Bill, to give them credit for entire disinterestedness in their decision? Would not the country know and feel that if all persons interested were excluded from the right of voting, the people would have a majority in their favour? He had a great respect for the House of Lords in its proper position; he considered that it would be always necessary to preserve the balance of the Constitution, and to act as umpire between the Sovereign and the power of the people; but he, at the same time, must observe, that he knew no assembly less calculated to resist the other branches of the State—to overbear the wishes of the King and the Commons. At no period of history did it appear that an aristocracy had been able, at an advanced stage of civilization, to preserve privileges which were generally disputed. At the early stages of society, an aristocracy was all powerful to assume and acquire; but when these acquisitions assumed the shape of usurpations, they could not long maintain them. He was the last man who would question the right of their Lordships to stop the Bill if they thought proper to do so; but he could not help looking to what would be the end of their opposition. The Lords, it was true, might reject the Bill; but what would be the issue? They might reject it; but if they did so, they would be in a minority, and in a minority of two to one—and he again asked what would be the issue? Like all minorities, their Lordships must yield; and they even would be compelled to yield to opinions so sustained and so expressed, and so well founded, as those against which it was contemplated they might array themselves. The fact was, that in the Constitution there were provisions for the obstinate opposition of any one branch of the Legislature to the other two. If the King opposed the views and representations of the Lords and Commons, he was compelled to change his advisers, and create a new Administration; if the House of Commons pertinaciously opposed the Sovereign and the Lords, there was a dissolution, and thus a fresh appeal to the people; and if the Lords, in their turn, opposed the Sovereign and the Commons, and the people, there was also an ultimate resource. There were means of averting this opposition, which might constitutionally, and would probably be resorted to. He denied that the vote of their Lordships on the present occasion could be considered as fairly settling the question of Reform; he denied even it could be so regarded, that, under the existing state of excited feeling, it would be received as a final decision of the question, when their Lordships, as one of the branches of the Legislature, stood in a minority, and opposed, moreover, the views and wishes of an entire people. What end, then, could noble Lords propose by rejecting the Bill? Was it supposed that the people would place confidence in those whom they had driven from power on account of their opposition to Reform? Let no man conceal from himself the fact, that if he voted against the second reading of the Bill, he voted against the principle of Reform. He now clearly saw, that what he stated in the beginning of his speech he suspected, was the fact—there was a division in the enemy's camp. In conclusion, he declared, that from the state of the country, he looked with great anxiety and agitation to the vote of that night. If their Lordships rejected the Bill, he feared it would prove to the noble Lords opposite a melancholy triumph. When such a body as the House of Commons declared that the Bill only conceded the people's just rights, he could not conceive a course more reckless or more hopeless than that of offering opposition to it. The effect of this decision was likely to affect their Lordships' influence in the State, for as long as their Lordships had possessed those titles and privileges and rights, which they derived from their ancestors. He did not apprehend immediate tumult from the rejection of the Bill; but he could not conceive it possible that the House of Lords could embark in a more hopeless contest. The effect of their Lordships' decision on this momentous question would be felt through future ages.

The Earl of *Mansfield* spoke to the following effect:*—My Lords—I hardly know what excuse to offer, for obtruding myself upon your Lordships' attention; no particular duty is imposed on me, I have no peculiar interest in this question, so interesting to us all; and the embarrassment which I always feel, in addressing so critical an audience is increased by the importance of the question which we have to discuss, and which agitates me so much as even to drive from my recollection the arguments which I wish to adduce on a subject that has engrossed my thoughts for many months. But whatever my reluctance might have been, an expression of a noble Earl (Earl Mulgrave) has decided me to overcome it. The noble Earl says, "there is *dissension* in the camp;" he is mistaken—though there be diversity of opinion, we are all united in a determination to do our duty, and oppose this Bill.

My Lords—although my noble friend, the noble Baron and I, take a different view of parts of the subject, I shall heartily support his amendment. In my humble opinion, Parliamentary Reform is not necessary—but if it were, this Bill is one which your Lordships could not approve; and I rejoice to know, that if your Lordships come to this conclusion, whatever may be said by noble Lords in their speeches, your rejection will be pure and simple, unaccompanied by any declaration as to the necessity of Reform, or as to any other plan which you could have been disposed to have adopted; such a declaration (as I think) would cause disappointment, and tend to the continuance of a dangerous delusion.

I readily admit, that it is our duty to take into consideration all plans which may be proposed for the improvement of any of our institutions. I contend, however, that the existence of an evil should be proved, that the remedy should be limited to the object; and even if the evil were proved, and admitted, when the measure is of great importance, we should hesitate to adopt it, unless we had good grounds for believing that the change must be an improvement; and we should take care, that in applying a remedy for one evil, we do not cause a greater. If, for instance, an apparent advantage could not be obtained, but at the expense of justice, by trampling on the sacred rights of property, upon which the lowest and the highest individuals in the land have hitherto rested their security, there would be a repugnance in my mind to accept of even a great advantage on those terms. I do not pretend to say, that there are not anomalies, or theoretical defects in the constitution of the House of Commons, but even at the risk of being assimilated to those lovers, in whose eyes the very deformities of their mistress are beauties,

"Veluti Balbinum Polypus Agnæ,"

I must say, that some of these apparent defects are attended with real advantage.

My first inquiry is, What is the evil? Is it that, constituted as the House of Commons is, it has not performed its duty, and has not been in unison with the people? I know it has been said—and to support the assertion, the history of the last forty years has been brought under review; not that it could be said that formerly the conduct of Parliament was blameless, but that, during almost the whole of that time, a course of policy has been taken, which is particularly reprobated by the Reformers. It is said, the House of Commons, of whose Members a great proportion are the nominees of Peers, or great landed proprietors (but just now, it is better to say *Peers*), for their own advantage, supported the Ministers who plunged the country into an unjust and unnecessary war. British blood was shed, treasure lavished with profusion in ill-concerted expeditions, heavy taxes were imposed, and our Debt considerably increased. At last the war of long continuance was brought to a close, a peace was signed which gave to Britain no useful addition to her territorial possessions—merely the solitary advantage of having imposed upon France a ruler whom she detested, and having become the ally of all the despots in Europe, leagued together for the oppression of their subjects, and the destruction of civil liberty, while her own subjects were oppressed with a debt so onerous, that our commerce, our agriculture, and all our resources were crippled for ever—this could not have taken place with a reformed Parliament.

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* From the corrected copy, published by Roake and Varty.

This, my Lords, is an appalling picture: if I cannot efface it, let me, at least, attempt to soften some of its lineaments, which is the more necessary, because, according to my observation of four or five points to which the majority of the people direct their attention, nothing has struck them more, nothing has deluded them more, than the assertion that, with a reformed Parliament, wars would be less frequent, and consequently, the national Debt would not be increased; and, my Lords, whatever may be said as to Representation, as to restoration of rights, depend upon it the great majority think of nothing but reduction of taxation. That the war was just and inevitable I believe, but of course leave that open to contradiction; that much mismanagement may be imputed to Ministers, in the early part of the war, must be admitted, but, I think, candour would oblige us to confess, that latterly, when zeal and experience had combined, there was a considerable improvement. Heavy taxes were imposed, debt was accumulated, and peace did not give us as great additions to our possessions as some might have expected; but Great Britain obtained the only object she ever had in view—security for herself, the liberation of Europe from the ambition of France (invariable under every change of her Government), and the establishment of peace on solid foundations. It was a satisfaction to reflect, that to the valour of her fleets and armies, the firmness and wisdom of her Ministers, and of her Parliament, the successful termination of the war was mainly to be attributed; and when the Speaker of the House of Commons conferred upon the noble Duke that reward for his unparalleled services which he perhaps appreciates as highly as any he ever received—the thanks of that honourable House; when a less formal, almost involuntary compliment, was paid to a noble Lord, unhappily now no more, who had conducted the negotiations, having peace for their object, how few were there *then* who would have asserted, that Parliament neglected its duty, or that the sentiments of the people were not expressed in the House of Commons! After a short interval, war ensued; what voice was heard to condemn it? And when the noble Duke closed the list of his splendid victories, by one more brilliant, more important in its consequences, and terminated negotiations, in which he had borne a distinguished part, if there was not unanimity, at least the satisfaction was very general; not only as expressed by the Representatives in Parliament, but also by the great majority of the people, if the opinions of individuals had been collected; they were satisfied with the result, contented with the acquisitions they had gained, the compensations they had received, and, above all, determined to fulfil the obligations which they had contracted.

Now, had the Parliament been purified as theorists recommend, I will not pretend to say what would have been the march of events, but I remember that the contagion of French principles had spread to this country—that a great part of our population (always called by their partisans the *whole* people) were disposed to cultivate friendship, or fraternity, with France, and to follow her example; and I really believe, that to the firmness of the Minister, and of the Parliament, acting in opposition to what was said to be the wish of the people, we owe our existence as a nation. In a short time, the atrocities of the French Revolution, the encroaching spirit of the French Government, opened the eyes of the people, and dissipated the delusion which had prevailed; but, let me ask, is a popular assembly of delegates, and not Representatives (and if the Reformed House of Commons be not of that description, it will not satisfy those who so loudly clamour for Reform), is a popular assembly, I ask, always pacific? and even if it had been inclined to avert war, by concessions, would they have been successful? Does the experience of Prussia, of some of the States in Germany, and of Spain, teach us this? War, then, was possible, it must have been attended with expense; the valour of our fleets and armies would have been the same; but I know no reason for supposing that our expeditions would have been better conducted. From what we have heard of other popular assemblies, we may believe that the difficulties under which our commanders laboured, would have been much increased; an assembly acting under the immediate impulsion of the people, would have urged our commanders at one time with childish impatience to an imprudent advance, at other times would have recommended, if not an ignominious, an unsafe retreat. I doubt, for instance, whether a reformed House of Commons would have allowed the noble Duke to remain with Fabian policy in his position, behind the lines of Torres Vedras, while popular orators were addressing it, predicting that in a short time, not a British soldier would be left in Portugal, but as a prisoner; when that prediction found an echo in the camp itself, where perhaps there was but *one* heart that did not quail with apprehension.

But peace, which must have followed, would have given us no adequate compensation for our losses; it never does; happily we have this additional reason for avoiding war; and after a short time, when peace had not been accompanied by those advantages, by that diminution of taxes, which the people expected, would they not have been clamorous for relief, and might not the Members of that House, acting under the immediate influence of the people, have acceded to their wishes? might they not have retained the advantages which the fortune of war had thrown into our hands, and have refused to pay the price at which they were acquired; might they not have cancelled the obligation to the public creditor, and have withdrawn the pensions (scanty as they are) from our soldiers, and our sailors, leaving them to drag about their frames, debilitated by exposure to pestilential climates, or mutilated by their wounds, at once the monument of their services and of national ingratitude?

This is not calumny—such has often been the gratitude of a popular assembly—such is the language of the Reformers! I speak of two considerable burthens, much augmented by the war; they have been selected as the first objects of reduction—though such injustice will be revolting to your Lordships—the proposal has come from those who pretend that they represent the feelings of the people; a portion of that people approves it, but by a Parliament constituted as it is at present, it would be indignantly rejected.

But during this time, was the House of Commons the humble instrument of the Minister of the day, and negligent of its duty? It is true, that in the first years of the war, from the confidence reposed in the Minister—from apprehension of the principles avowed by his opponents, there was a great expenditure; but was the House corrupt. Were the Members intent only on their personal advantage? Was the support given to the holder of office and the dispenser of favours, without regard to character? No!—they showed an independent spirit, that they could make a selection of the Minister in whom they could confide, and the measures they would approve. After the death of Mr. Pitt, when the noble Lord and his friends came into office, did *they* find the House too servile? And when, after a general election, they were dismissed by George 3rd, the House did not make an attempt to reinstate them. Again, in 1827, and to take one of the most remarkable, and a recent instance, the House withdrew its confidence from the noble Duke, and obliged him to resign his office.

In the investigation of the causes of failure of some expeditions, of the supposed misconduct on the part of public officers, the mismanagement or misapplication of public money, the House was not idle; but I must say, that the manner in which some of these inquiries were conducted, gave me reason to think that the House was quite enough under the influence of the people.

But since the peace, what has been done? Taxes to the amount of twenty-five millions have been taken off; at the head of them the most important, the most supported by Ministers (the property tax); the interest of the Debt has been reduced, while the national faith has been strictly preserved.

Great improvements have been made in our criminal law, for which, although the right hon. Gentleman who introduced them must have the highest honour, Parliament may take the credit of having attended to a subject of such general interest. Economy in the different branches of the public service, the reduction of sinecures, of salaries, of pensions, as far as was consistent with justice, have been carried into effect; and I may remind your Lordships, that when there was a suspicion of partiality in selecting the individuals who were to be affected by reduction, there was, on the part of the House of Commons, a proper jealousy, a prompt and successful interference.

Although for all these measures, the Ministers who introduced them are entitled to credit, the House of Commons at least has a right to quote them, as a proof that the Representatives have not neglected their duty to their constituents.

Is the evil—inadequate Representation?

Soon after the peace, a most important measure, affecting all the interests of the country, was, after much discussion, adopted. I mean the resumption of cash payments. Upon this subject there were the most discordant opinions; but I think it could not be said that any interest suffered from want of Representatives, in the measures which followed, for giving freedom to trade in general; and in the exception which was made with regard to corn, each interest was accused by the other of having obtained an undue advantage, and the inference that I at least am inclined to draw is, that they are pretty fairly balanced; but the opinion of the Ministers, sometimes public opinion too strong to be resisted, gives to one of them a momentary preponderance; and it should be remembered, that there is always a great portion of the Members who do not feel themselves bound to support the claims of any particular interest, but to vote for those measures which will conduce to the welfare of all.

One great measure was carried through the House of Commons, with the consent, of course, of a majority of the Representatives; but, as I am convinced, in opposition to the wishes of their constituents—I mean the Catholic Relief Bill. Indignation at this circumstance has made many, who were opposed to that Bill, Reformers: it has not had that effect upon me. I consider the Members of Parliament as Representatives, not as delegates: they were to act in the manner most conducive, in their opinion, to the advantage of the whole country, and at a general election, their conduct would either be censured or approved: let those who, with the notion of improving the Representation, exclude all places which have not a numerous constituency, and who were favourable to the Bill, consider how that measure would have been stopped had there been no boroughs or towns over which Government or individuals had an influence; though I cannot adopt their opinions on that Bill, nay, am daily confirmed in my melancholy forebodings of the consequences of that measure, I feel that for constituents to have forced upon the Members a resistance to a measure which they thought would be most advantageous to the country, would have been a great evil, would have been often repeated, and would have submitted the House *arbitrio popularis auræ.*

No, my Lords—resentment for public conduct might make me withdraw my support and confidence from public men; but institutions are not to be lightly changed or abandoned because something has occurred which we disapprove, and which these institutions have not enabled us to avert. But I have admitted that it is our duty to take any plan into consideration; this has always been my opinion, and particularly expressed at the close of last year, at the risk of being considered by some of my political friends as too much of a Reformer. I thought that between a determination not to agree to any change, and the adoption of wild schemes of innovation, there was a middle course. Listen to all the suggestions, consider the subject; though you do not see the necessity of change, or anticipate any improvement; be guided solely by your opinion as to the advantage of the measure proposed. But though I thought the duty of Members of Parliament invariable, I must say, that there never could have been so unfortunate a moment, one in which calm discussion and a prudent decision could be so little expected, as when the events of France and Belgium, combined with the circumstances of a general election, afforded an opportunity to those who wished for change, to seduce a great portion of the assembled population by an extravagant picture of the advantages of Reform; while others, and probably those who possessed most property, were persuaded that Reform alone could save us from Revolution. The opposite declarations of the noble Duke, and of the noble Earl at the head of the present Administration, brought matters to a crisis. Ministers pledged themselves to Reform, and soon after redeemed that pledge, by bringing in Bills similar to that which is now before us; which, be it good or bad, the public was not prepared to expect from the declarations of the noble Earl (as they were understood), from the declared opinions of the noble and learned Lord on the Woolsack, and from the rumours of their intentions which had been circulated, and particularly as to Scotland.

Of a Bill thus introduced, we have now, for the first time, had the benefit of receiving an explanation from the noble Lord from whom it emanated, given with his usual eloquence and ability; but as I have not the facility of adverting to what has been said by others in debate, and as the statement given elsewhere, which I have studied with attention, does not materially differ, it is to that that my remarks will be directed. The statement was, that the object of Ministers was, to place themselves between two hostile parties, upon sure and stedfast ground—between the abuses they wished to amend, and the convulsions they hoped to avert; that no one of common sense could say that the House of Commons represented the people and commonalty of England; that there was a time in which the right of being represented was recognized. If it were a question of right, therefore, right was in favour of Reform; and that we may not be lost in the labyrinths of early history, or referred to statutes on which there is any doubt, or to times too remote from our own, the Reformers go at once to Edward 1st, with a charity which reminds me of the lady in Prior's "Alma:"

> "Then that I might not be wearied, madam,
> To cut things short, came down to Adam."

But hither, I fear, we must follow them; the Statutes of the 25th and 34th of that King, and particularly the Statute "*De Tallagio concedendo*," and perhaps the words of the Writ, "*Quod omnes tangit ab omnibus approbetur*," having been cited to prove that no tax could be imposed without the consent of the whole community, one might have expected a proposal to restore the franchise to all, even to repeal the Act of Henry 6th, which limits the qualification to the possessors of 40*s*. in land, and that in freehold, and not to limit it to particular classes and districts, or the occupiers of houses rated at 10*l*.

It is further stated, that nomination in close boroughs and close corporations are not the settled institutions of the country. It was admitted, that the Representation consisted of knights for counties, citizens and burgesses: could it be denied that at all times Members were returned by the influence of the Crown, of individuals, or by close corporations?

The Crown, by its power of creating boroughs, exercised an influence on the House of Commons, of which it probably became more sensible, after the precedent given by Edward 4th, who gave an express right to Wenlock to send Members by charter, as a reward for the services of the proprietor. Now I do not see that this influence was questioned, even when articles of accusation were brought against Richard 2nd, as an excuse for deposing him. I see it laid to his charge, that he interfered with the Sheriffs to return Knights who would vote for excessive subsidies, and particularly for a tax upon wool, which was to continue during the King's life; but not a word of the influence of returning citizens and burgesses. For many years the House of Commons, though containing the elements of liberty in its constitution, was subservient to the Crown; but submissive as it had shown itself to Queen Elizabeth, in the apology (as it was called) which it presented to King James, while it admitted that deference had been shown to the Queen, on account of her sex and her extraordinary qualities, denied that this was to be interpreted as an abandonment of rights and liberties, which, on the contrary, the House asserted, in the name of the whole Commons, as their just inheritance; and, enumerating the things of which those rights and liberties consist, they claimed that the shires, cities, and boroughs of England, by Representation to be present here, have free choice of such persons as are to represent them: they do not complain of the influence of the Crown in the Duchy of Cornwall, in which no less than twenty-six Members had been added in the three last reigns; or of individuals in boroughs; and one has no reason to suppose, that the return of Lady Packington to the Writ of Aylesbury, 14th Queen Elizabeth, that she had chosen and approved two burgesses, was a solitary instance.

It has been observed by a noble Lord, in his work upon the Constitution, that these unhealthy excrescences did not prevent the Petition of Right, or guard the Throne from the Roundheads: but, my Lords, the dreadful tragedy which then took place, was, I must say, in opposition to what fell from a noble Earl, (Earl Grey) imputable to concessions, to unwise, imprudent concessions—and to the design of the House of Commons to engross the whole administration of the State; and historians have remarked, that the Monarchy and the Peerage did not fall, till the liberties of Parliament had been destroyed by that army, which it had made the instrument of aggression.

The attempt of Cromwell to form a Parliament, of which he had different schemes, cannot be considered as connected with our Constitution: the agreement, the scheme of the officers who supplanted Richard Cromwell, by which the electors were to vote according to the payment of taxes, and vote by ballot, were theories which were not carried into practice, though perhaps they have afforded some hints to the framers of the present Bill. The sending Writs to the old boroughs by Richard Cromwell was a popular measure, though it had not the effect of establishing his government; and this leads me to remark, that the Long Parliament, which I think must be admitted to have had the spirit of Reform, did not imagine that boroughs in which the population was reduced, and which had not received a Writ for centuries, ought therefore to lose their rights, for when petitions had been presented, it sent Writs to seven boroughs, some of them certainly not populous—four of them are in schedule B, and three in schedule A: * amongst others, Milborne Port, which still has a right, and, as some conceive, should have a preferable right, to return Members. The attempts of Charles 2nd to resume the charters, and remodel them for his purposes, have been severely and justly reprobated, and King William, in his declaration made before his landing, promised that all the rights of boroughs should be maintained. To a Parliament so constituted we owe the Revolution, upon the advantages of which we are unanimous, whatever difference of opinion there may be as to some of the circumstances attending it—to a Parliament so constituted we owe the succession of the House of Hanover. If, to use the words of a celebrated orator, the Constitution is to be arraigned at this tribunal, if I cannot save it from condemnation, at least let these merits go in mitigation of its punishment.

If, shortly after the Revolution, direct bribery was carried to a shameful degree, and afterwards indirect influence was exercised by the creation of useless offices and granting pensions, still the prosperity of the country gradually advanced, though occasionally its progress was retarded; but even in these times, I do not see that it ever occurred to the Representatives, or to the people, that their condition was to be improved by an alteration in the constitution of Parliament, and now, when direct bribery cannot be suspected, when there are fewer placemen in the House, including officers in the army and navy, than there were in George 2nd's time, when the patronage of Ministers is so much reduced, such an alteration appears to me to be still less necessary, and especially because the Reformers cannot refer us to any time in our history, in which their plan was in operation, attended by those advantages which, as they say, must always attend it. And here again I must refer to a noble Lord (Lord John Russell) for whom I have a great respect; he has written and spoken with great ability on this subject, and I do not quote him for the purpose of imputing to him any inconsistency, but without offence I may mention those observations which have made the greatest impression on my mind. In his book on the Constitution he says, "If a man were to object to change, and to say government is a matter of experience, not of speculation, we will therefore rest contented with things as they are, his objections would be sound."

Since, then, the plan now proposed is not a return to that which was once established, it is an innovation and an attempt to reconstitute the State. I do not on that account refuse to consider it, though, if the innovation had been from the first avowed, I believe it would have had fewer partisans; and though I may have the prejudice that those who rock the cradle of an infant constitution, may probably accompany it to its grave. But fortunately I come at once to an insuperable objection. The Bill consists of two parts, one the disfranchisement of boroughs complete or partial, the other the creation of a new constituency, and a new arrangement of boroughs and counties. I do not entertain the least doubt of the power of Parliament to disfranchise boroughs: there are no national limits to that power but possibility. Parliament, however, may impose fetters upon itself by which it will be ever restrained. I would have it our pride to say, Parliament cannot do what is unjust

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* The boroughs are,

A Seaford, Malton, and Allerton.
A Weobly.
B Okehampton,
B Ashburton.
B Honiton.
B Cockermouth.
A Milborne Port.

—I conceive this disfranchisement to be unjust and impolitic: unjust, because, whether the rights of boroughs be real property, or held in trust, as the noble Earl has contended, if it be a trust, unless misconduct has been proved, the trustees cannot be divested—(that any boroughs should be heard by counsel is what the wildest Reformer in this House would never oppose)—if it be an absolute property, it can with as little justice be taken from the owners. And even if we were proceeding on the admission, that the measure was absolutely necessary for the good of the country, taking the analogy of the heritable jurisdictions in Scotland, or of lands which have been taken for the erection of barracks or fortifications when the country was threatened with invasion, Parliament provided that the proprietors should receive compensation for a seizure, which nothing but necessity could have justified—impolitic, because it is unwise to show that charters from the Crown give no security. Are these the only charters which may be questioned, on the ground of speculative advantage to the public? Will the grants of land be more secure? The doctrine that all the property of the Church is, and always was, the property of the State; that Henry 8th, when on the suppression of monasteries he parcelled out the Church lands amongst his favourites, exceeded his powers; and that these grants should be resumed, is very unpalatable to individuals, and would not now be tolerated by your Lordships; but in a Reformed House of Commons it would be favourably received, and, what is worse, would rest its justification upon that measure which you had sanctioned.

Against this disfranchisement, then, I protest; and as most of the provisions depend upon the settlement of this point, it would be unnecessary for me to enter into an examination of the details, even if my noble friend (Lord Wharncliffe) had not so ably exposed their defects: a few words, however, may be permitted to me upon some of the most glaring inconsistencies.

Adopting the principle of population, and being obliged to draw the line somewhere, it is proposed, that all boroughs which have not 2,000 inhabitants, shall be disfranchised; those which have between 2,000 and 4,000, shall return one Member; above 4,000, two Members. Waving for a moment the objection to the principle, should we not have expected, that the returns of the actual population, and not the census of 1821, which is notoriously incorrect, would have been taken as a base? (Although it is possible that some false returns would have been made at the census of 1831, for the purpose of giving advantages to particular towns)—but this is very unfair, for it is well known, that there are towns which had not 2,000 inhabitants in 1821, but whose population is greatly increased; and as this is a final arrangement, they are for ever excluded: and this is a remedy for a system, of which one of the evils is stated to be, that towns, much as they increase in population, will not acquire the right of sending Members to Parliament. But even if the census of 1831 were taken, should we not be preparing ourselves for the adoption of what has been called the rule-of-three system? that if 2,000 return one, then 4,000 two, and 6,000 three Members, and so on—a system which, as I understand, is as much disapproved of by the supporters as by the opposers of this Bill; and yet, though this may not be the immediate, I think it must be the ultimate consequence.

It was for the purpose of neutralizing the principle of population, I presume, that the standard of property was also taken, and applied indifferently; but it is often difficult to know by what test the arrangement is to be tried, and sometimes it is irreconcilable with either or with both: for instance, of two towns which are placed in similar circumstances, one is disfranchised, and the other returns two Members.

The great object was, to introduce a new constituency upon a qualification assumed to be uniform; and so it is in amount, but not in its effect. In some large towns, it will extend the franchise to nine-tenths of the householders, while in others the number of electors will be very small; it is, to be sure, a matter of opinion, but I own, that in making a new arrangement, it would not have occurred to me to give increased influence to this particular class.

The framers of the Bill propose to give additional Members to counties, and thus establish an aristocracy of land, to balance the aristocracy of towns; and yet in some counties the 10*l.* householders of towns will have great influence—in some, I have reason to believe, that they would obtain a preponderance.

Having taken population as a principle, and the payment of taxes applied to counties, they give to those which have a smaller population, and who pay a smaller amount of taxes, a greater number of Representatives.

In conformity to the orders of your Lordships' House, and consistently with the tone which has been taken hitherto, and which I hope will be observed in this debate, I would not impute to the authors of this Bill motives of partiality and injustice; but, deprived of this resource, if I may so call it, I cannot understand it. I will not say that it is inexplicable, but it does appear to me, that neither in the debates elsewhere, nor in this House, has this arrangement been satisfactorily explained.

Avowing the intention of taking the franchise from the lowest class, because it is subject to bribery, they confer the right of voting upon those who must be most under the influence of landlords, depriving freemen of their natural rights, when it can be done with safety, but conceding to the potwallopers, who would be too clamorous, the exercise of that right which it is said they never ought to have possessed. Professing to destroy influence, they make a division of counties which shall place them under the influence of Peers and great proprietors, such as were called, in a petition from Durham, presented by a noble Marquis (Cleveland) an overbearing oligarchy—thus substituting nominees of departments for nominees of boroughs—objecting to out-voters, and bringing them sixteen or seventeen miles to add to the constituency of some towns; in others, confining the votes to residents, but allowing them to non-residents in counties and in universities—and all this to cure anomalies!

And whereas the possession of property is desirable in an elector, the possessor of half a town is not to have a vote, unless he be resident; while his tenant for the shortest term, the most dependent, possessing the smallest interest in the property, shall vote not only in towns, but in counties, if he hold land of the yearly value of *50l.* This last provision was introduced for a reason easily understood—to correct the democratical parts of the Bill. Attempts were made in discussion to veil this from the eyes of the public, which is easily deceived. But others, more clear-sighted, were reconciled to the Bill by this aristocratical alteration. Now it is always said, that this will be a final settlement of the Representation. I must be allowed to doubt it.

As long as there is any individual, not a minor, not fatuous, who has not a vote, so long will there be some one who will assert, and many who will believe, that the people are deprived of their just and natural rights.

As long as towns increasing in population do not return an increased number of Members, so long will they consider that they are not adequately represented.

The influence of money will always exist, and bribery will always be suspected, unless the electors be so wealthy that money could not tempt them; the only security would be a high qualification, quite incompatible with an extended suffrage.

The conduct of Members of Parliament who support the Government, will always be imputed to interested motives, as long as there is a single place, honour, or distinction, at the disposal of the Minister; and yet we are told, this must be satisfactory to the people, because it secures adequate Representation, purity of election, and integrity of conduct in the Representatives. I should say, that it were better to abide by the old Constitution, which, if defective, has advantages in practice, than to adopt a theoretical system, to which the same objections may be made.

Thus then, my Lords, I am compelled to oppose this Bill upon its principle, and no alterations of the details could affect my objections. I rejoice that, as a Member of this House, it is no part of my duty to propose a substitute. That improvements in the regulation of elections, so as to diminish the expense and inconvenience, may be suggested, is possible; that bribery may be more effectually restrained; that a plan might be proposed for repairing what appears to me to have been an omission in 1800: and giving to the Crown the power of issuing writs to new boroughs, which it had lost by the Union with Scotland and Ireland, is also possible; upon these points I offer no opinion, but must express my belief, that the populous towns have never proved that they had actually suffered any real injury from not having had the right to send Representatives to Parliament. Some proposition may also be made with respect to the Representation of Scotland, to which, notwithstanding the interest I must take in that country, I have not adverted, as it is not at present under discussion. Upon this point also I offer no opinion; but whether that state of Representation be good or bad, it is a consolation to me to know, that the injury arising from it must be of recent date, for it was only lately, that the Reformers complained of the apathy of the people, and particularly of the people of Scotland, on the subject f Reform.

Objecting to the Bill, then, I should naturally vote against it, but this I am told I must not do; and for these reasons: because the interference of the House of Lords with a Bill of this description, if it be legal, is objectionable, and that the people must and will have Reform. Now with respect to the first objection, that is very unfortunate, for in 1728, when the Commons sent up a Bill to prevent bribery at elections, the Lords made two amendments; the first raised the penalty from *50l.* to *500l.* to which the Commons, notwithstanding their objections to money clauses, agreed. The second was as important; it declared that such votes shall be deemed to be legal which have been so declared by the last determination of the House of Commons; this also was accepted, and a popular orator, Mr. Pulteney, in praising the patriotism of the Lords, went so far as to say, that the Lords as well as the Commons, are the guardians of the freedom of elections.

But the people will have Reform. Now, my Lords, I do not mean to deny that a very great proportion of the people are for Reform, not that they are unanimous; and to use an expression of Mr. Burke, we must not always judge of the generality of the opinion by the noise of the acclamation; and though I would admit a numerical superiority, yet I believe that if a scale of numbers and property were taken, the majority of property would be against the Bill. But for the sake of argument, I will admit that the people are unanimous; I must answer, that we are not here to obey the dictates of the people, or to register the edicts of the House of Commons. If we have a right to examine a bill, to modify, and alter its provisions, we must have a right to judge of its principle, and of the necessity for legislating on the subject. It is our duty to examine with patience all that is suggested for the benefit of the people, and thus to impress upon their minds that truth which is not at once apparent to them, probably from the distance at which we are placed, that our interests are inseparable, that it is not only the duty, but the interest of the Peers, that the people should have the full enjoyment of all their just rights and liberties, upon which individual and national happiness so much depend; that it is impossible that the prosperity of the people can be increased, and that it should not be reflected upon us; or that the people should suffer calamity, or a deprivation of their rights and liberties, without involving the Peers; who in themselves, it is true, have a part in legislation which is not given to all, but in their property, and in their families, are incorporated in the mass of the people. Attributing to us, therefore, very uncharitably, selfish motives, I say from those motives, from motives of self-interest, we could not resist any measure which we really thought would conduce to the advantage of the people; and it was well observed by my noble friend (the Earl of Mulgrave) as well as by a noble Earl on presenting a petition, that it was wrong to say that the Peers had no interest in this Bill, but one ought to say, that they had no separate interest. Let this truth, coming from the lips of the noble Earl, have the effect which it could not have had if it had merely come from mine.

If you approve of the Bill, give it your support. But if not—would you upon any other occasion have at once admitted that you were in the wrong? Would you not have put your own opinion, and that of the minority of the House of Commons in contrast with the opinions of the people? Why should you not do so now? For fear of the consequences? We have been told, in no measured language, by the Press, that our own persons or our property may be attacked, and I must say, that nothing can be so well calculated to produce the effect as these threats so circulated. I think it very probable that there will be disturbances; I have full confidence in the firmness of the Government, and that they will be put down. I shall be sorry, however, that such events should take place, as individuals perhaps more deluded than guilty will be the victims. I do not disregard consequences, but from what are they to proceed?—from disappointment? Now what is it that the people expect from the Bill? Looking to the great number of petitions which explain their expectations, but not one half of their delusions; such as, that those who have any thing to sell must always obtain a great price, and those who have to purchase, find every thing cheap. The prayers of the petition are for a reduction of taxes, quite incompatible with the payment of the debt, and which would recoil upon themselves; the abolition of tithes, the appropriation of Church property to the uses of the State, &c. Now the supporters of the Bill say, that there will be no such consequences, that it is absurd to believe it; but if the expectations of the people be not realized, will they not be dissatisfied? Will they not be equally clamorous in expressing their disappointment, and might not the same argument be urged to persuade you to consent to more dangerous but inevitable concessions?

In conclusion—I must say, fain would I see this effervescence subside. If I were to frame a wish and devise the means for restoring calm to the public mind, confidence to all who are engaged in commerce, trade, or agriculture, and to the possessors of property, it would be, that we should renew the charter of our Constitution for two years, with all its defects, all its anomalies, exposing ourselves to the risk of suffering those calamities which may attend so defective a state of Representation. At the end of that time, you would come to the discussion in a calmer state of mind, with better hope of temperate discussion and of prudent decision. But this would not suit his Majesty's Ministers; they wish that the agitation may continue; it is like the fever which gives the patient artificial strength, though it will finally cause his destruction.

May the arguments against this Bill which have been so ably advanced by others, and the intreaties which community of interest allows me to address to you, have some effect. Do not, in the hope of improvement, rashly endanger our venerable Constitution, which has been the admiration and the envy of the world; in which various interests are balanced, opposite elements brought together, not in conflict, but in beautiful harmony; which not the wisdom of man, assisted by experience; not time, or fortuitous circumstances, could ever have effected without the aid of that all-gracious Power, which I trust has not yet withdrawn its protection from this favoured land. Do not let us return to that chaos in which these elements would still exist, but not in union; do not adopt the theories of those innovators, whose motto seems to be, *Nulli sua forma manebit.*

For, my Lords, the evil will not rest here; the wish for change extends to all your institutions—the abolition of a Church in union with the State—the division of property amongst all the children, as in France—the consequent destruction of an hereditary Peerage, and an interference with the succession of the Crown, are theories which it is admitted cannot be realized till this Bill shall have laid the foundation. These are not the opinions, as they formerly were, of men of some talent, but of little influence; they proceed from, and are vindicated, to my knowledge, by men of talent, of education, and of family; and such as would present themselves as candidates, with a certainty of being chosen by that constituency which this Bill creates.

My Lords, you have this night, not only to decide upon the fate of Britain, the fate of Europe is involved in your decision; if England be convulsed, if she should suffer even bloodless revolution, the only barrier would be removed which opposes that spirit which attacks all ancient institutions, all established governments. War, which (whatever may be said) is equally deprecated by us all, will probably ensue; and its attendant calamities will not be lessened, if, under the guidance of the present Ministers, and adopting an inverted policy, we should find ourselves arrayed by the side of our former enemies, and opposed to our most ancient and faithful allies. This course of policy was never followed but in the last years of Queen Anne; a period which has of late been forcibly brought to my recollection, and of which an assertion of the noble Earl (Earl Grey) has again reminded me, that he would never abandon the Bill, while he retained any reasonable hope of success. Now there were two ways of carrying the Bill; the one was, by obtaining the majority of the existing Members of this House; and the other, by recommending to the Crown an undue exercise of its undoubted prerogative, the creation of Peers; and as in the times to which I have alluded, a whimsical question was put to the twelve new Peers, Whether they voted, like a Petty Jury, by their Foreman, we should have to ask, Whether these Peers would vote by their Centurion? So great would be the number required to overpower the strong feeling in this House, of want of confidence in Ministers, and of objection to this Bill.

But, my Lords, I have done; and return you many thanks for your indulgence, which has enabled me to prove (or attempt to prove) that my opinions are not the result of prejudice, but of long, I may say, painful, meditation.

Lord *King* said, that a great deal of matter had been touched upon which had no reference whatever to the subject immediately before their Lordships. Amongst others was that which might be designated the rump of the Holy Alliance. All he could say was, that he must be little less than a fool who would deny that advantages were not likely to arise to the country from the passing of the Reform Bill. He could not venture to place before his eyes the picture of what the state of the country would be when it was known that a proposal had been made to their Lordships to give a positive rejection to the Bill—a Bill sent up to their Lordships by a great majority of the House of Commons, might be, indeed, rejected by that House, but it would be for the House to consider of the prudence of rejecting it. That it had opponents he knew; the

"Iræ leonum vincula recusantium."

He trusted, however, that although these lions might indulge their resentment, they would be at least chained and rendered harmless. He trusted that they would not long be allowed to exercise their undue power to the prejudice of the interests of their country. The noble Earl (the Earl of Mansfield) said, in the course of his speech, that he would advise the Government to leave the measure alone for two years. The noble Lord said, he wished he could suggest some method of pacifying the country, and of stopping the progress of the present excitement. And how did the noble Lord, who was so anxious to put an end to the excitement, propose to accomplish his object? Why, he would pacify the country by rejecting the Bill, and leaving the people to indulge in all those feelings of exasperation which the disappointment of their hopes must excite. The noble Lord and his friends had met the question with a pure and simple rejection. The Bill was, in their opinion, too dangerous even to be entertained. They would not even allow it to go to a Committee [*no, no*]. Why, if they met the question with a decided negative, how were they to go to a Committee? No, their Lordships would not even consider the merits of the measure sent to them by the House of Commons; and they rejected it in such a manner as to say, that the country was not to hope from them that any measure of Reform would be entertained. That was the gist of the Motion, and of all the speeches he had heard. If it was not, he knew not what they meant. He now came to another question. What were the evils the country complained of? —war, taxes, and debt. He did not deny that the people were too fond of war; but he contended, that the people changed their opinion of its necessity much sooner than the Parliament. Would the first war with America have continued so many years under the authority of a Reformed House of Commons? But that was not the only evil—the proprietors of Parliament were now also the proprietors of the taxes. He called them proprietors of Parliament, in the language of Grattan, because he did not wish to use the offensive phrase of boroughmongers. He would tell the noble Lord how this proprietorship worked. From a list of places and pensions above 1,000*l.* a-year, laid before the House of Commons, and printed by its order, it appeared that the members of their Lordships' House received above 300,000*l.* a-year out of the taxes and otherwise, under the name of pensions, places, and salaries. This was the result of the proprietorship system, and the nomination of Members of Parliament. The noble Lord and his friends laid great stress on the worst part of the system, and seemed to think the worst possessed the greatest merit. He (Lord King) remembered the time when no one would dare to mention such things, and when the Speaker of the other House would have called any man to order who ventured to talk of nomination boroughs. Now, however, the system was recognized and acknowledged, and Members seemed to glory in what Burke called the shameful parts of the Constitution. Corruption and all its attendant abuses were stripped naked to the view. There was no longer any disposition to conceal it. They were told that the Bill proposed a new Constitution. Whose fault was it that such a Bill was now before them? And he would say more, that if they did not now concede this timely Reform, they would, perhaps, be compelled to grant another Reform, which they would consider still more untimely than even a very moderate Reform was thought to be some years ago. He would not say what might be the consequence. They were implored to grant this Reform to preserve the peace of the country, and they should take heed lest they forced the people to that general understanding respecting the non-payment of the taxes, which they had threatened. The people, it was well known, had for some time thought that the taxes voted by a condemned House of Commons might, under certain contingencies, be refused. He would not trouble their Lordships further than to implore them to consider well the consequences of what they were about to do. The noble Lord concluded by stating, that he never voted more heartily for any measure, than he should vote for the second reading of this Bill.

The Marquis of *Bute* said, before he attempted to address himself to the general question, he should say a few words in reply to the noble Lord who had just sat down. That noble Lord had addressed himself, not to the question of Reform, but had indulged in a criticism upon the motion of his noble friend (Lord Wharncliffe). He complained that the motion was that of simply rejecting the Bill, but the fact was, that his noble friend had sat down without making any motion at all. Being then called upon to move, he said, certainly, that his motion was to reject the Bill—but he (the Marquis of Bute) understood him to mean no more by that, than if he had moved that it should be read a second time that day six months. He had not understood from the noble Earl near him (the Earl of Mansfield) that he objected to Reform altogether, but only that he objected to this Bill; and he perfectly well knew that his noble relative (Lord Wharncliffe) did not object to Reform altogether. On the contrary, he always understood him to say, that he was prepared not only to make concessions, but concessions to a very considerable degree. He had understood him to say this on more occasions than one; and he had even heard him point out what the concessions were which he was ready to grant to the people in the way of Reform. No man had ever asserted that everything connected with the present system of Representation was perfectly correct. It never had been asserted; but what noble Lords objected to in reality was, the Bill on the Table of the House; and they contended, that if we must have Reform, it ought, at least, to be a Reform strictly in conformity with the existing Constitution of the country, and with those principles upon which all history told us that that Constitution was founded. He freely admitted that he was himself one of those who were of opinion that no great benefit could accrue to the people from any scheme of Reform which he had ever seen broached. This was his honest opinion; but still he was prepared on this, as on all other great questions, to bow to the sense of those whom he considered from their talent, their education, their rank and property, to be well qualified to form a judgment upon such matters. He begged to assure the noble Earl opposite (Earl Grey) that if he had any hesitation in opposing this Bill, that hesitation, if it did not altogether arise from, was, at all events, greatly increased, by the respect which he entertained for him. What he conceived to be the principle upon which the authors of this Bill proceeded was, that of endeavouring to get rid of those evils in the Representation of the country which were most complained of—namely, nomination boroughs. Now, he was prepared to contend, that this Bill established the principle of nomination to an extent fully as objectionable as could be met with in the history of any of those boroughs which were thus to be disfranchised. It was said that the liberties of the subject were injured by these nomination boroughs, but how he could not tell. It was a matter of surprise to him how such an opinion could be entertained. He denied the proposition *in toto*. However popular this topic might be, and he admitted that it would do at the hustings, or at a tavern dinner, he would ask, if any noble Lord in that House, or if any man who thought that his opinion would be listened to, would assert that the liberties of the country, that the liberty of individuals, or that the security of property, was less now than it was in those times which had been referred to as the most glorious epochs of the country? The greater part of those nomination boroughs had been created in the times of the Tudors, and they were selected, not for their riches, or the number of their population, but because the Crown wished to make use of them to promote its own arbitrary views. And what was the result? He was rather inclined to think, that so far from this being injurious to liberty, in a few years after they were formed, the Members for those boroughs were the most violent opposers of the Crown in the reign of Charles 1st. It was not till the reign of Anne, and the first Princes of the House of Brunswick, that boroughs became the property of individuals, and that, as a consequence, they became the subject of sale and nomination. Then began that contest between the aristocracy and the Crown with respect to borough influence, the result of which was, that the influence of either was much less now than it was when the House of Hanover came to the Throne—the period so often triumphantly referred to as the most glorious of the Constitution. But how did the noble Lord propose to get rid of the nomination boroughs? Why, by sweeping away a great part of these boroughs, by destroying the Corporations, and substituting for them a uniform system of three-and-sixpenny voters. In the first place, it put an end altogether to the nomination boroughs in schedule A, and in their stead it would establish one uniform system of constituency—a constituency essentially democratic, and which, being composed chiefly of 10*l.* householders, would be productive of ten times more bribery and corruption than prevailed at present. Every one knew the influence exercised in country towns by attornies, and a certain class of monied men, and the consequence would be, to place all the constituency under the dictation of one or two individuals. The new constituency would aggravate the evils of nomination tenfold, for the real voter would be the secret owner of the 10*l.* tenement—the speculating builder—who would count the votes as so much interest in his outlay. At present the nomination boroughs were useful as channels through which the colonial interests obtained the means of Representation, and as a means of preserving the just influence of the Peers in the decisions of the Legislature; but the new nomination system would be, from its democratic character, fatal to both, particularly to that hereditary influence which it was the special care of their ancestors to preserve. The noble Lords wished, he had no doubt, to promote the liberty, and happiness, and morality, of the people; but this Bill was not calculated to promote their views. Nothing was more carefully attended to by our ancestors than to preserve the hereditary principle of our Constitution in all its parts. That principle was the soul of the monarchy. But by destroying the Corporations—by taking away those privileges which the present race of freemen enjoyed, and which they expected to transmit to their children, this Bill destroyed that, and, by destroying that, would injure the hereditary principle, and would certainly injure the monarchy. He was not a friend to abuses, and if such as existed could be corrected, he should not object; but he could not consent to the great changes proposed by this Bill. It would not get rid of nomination and corruption, and for these reasons he meant to vote against the Bill; though he repeated, that he should not object to any measure which would get rid of abuse. The Bill, however, went so far—the changes it introduced were so numerous and so violent—the principle was so new, that he could not by any possibility go the length of the Bill. He knew that many noble Lords who went further than he did, would not consent to this Bill. With reference to that country with which he was connected, he would offer one observation. He admitted that the system of Representation there established was incorrect in principle; but he denied that it had been injurious in practice. He wished to say for himself distinctly, and with respect to the county which bore his name, that what had appeared in the papers was not correct. He admitted that there was an influence exercised there; but it was nothing but the influence of property fairly exercised. As far as he was concerned, that property would not be injured, nor the influence lessened by the Bill. Individually he was satisfied that his interest would be the same as before. While thus pointing out the monstrous defects of the Bill, he begged it to be understood, that he was by no means averse to any moderate plan of removing the abuses and corruptions of the present system, but only to such a violent and sweeping remedy as that proposed by Ministers [*cries of* "*Adjourn*"].

Lord *Wharncliffe* wished, before their Lordships adjourned for that evening, to set himself right with respect to the form of his Amendment. He had just been informed, that, as it then stood, it might be interpreted in the light of an affront to the House of Commons. Now nothing could be further from his intentions and wishes, and he therefore begged leave to withdraw it, and propose in its stead that the Bill be read a second time that day six months.

Lord *Holland* very willingly gave the noble Lord full credit for his declaration, that in moving that the Bill be forthwith, and without further preface, rejected, that he had no intention to thereby offer a direct affront to the House of Commons; but still felt it would be improper for their Lordships to assent to his proposition to withdraw it. When it was recollected, that in the course of the debate which had been held that evening on the noble Lord's Amendment, those who expressed their determination to support it did so on the explicit ground that "by its form it shut out all hope of Reform whatever," he was convinced that it was due to their own consistency to persist in an Amendment so supported. He, for one, therefore, would resist the withdrawal of the noble Lord's Motion.

Lord *Wharncliffe:* I know not what are the motives which may have influenced other noble Lords to support my Amendment, but for myself, I must repeat, that so far from wishing or intending to thereby offer an affront to, or mark of reprobation on, the House of Commons, that I will not divide the House upon it. Let other noble Lords act as they will, I will not press it, and therefore in courtesy I hope I shall be permitted to withdraw it in its present form.

Lord *Holland* repeated, that after the turn which the debate had taken on the noble Lord's Amendment, it was but right that the House should express its opinion formally on its merits. The Motion, besides, was not now in the hands of the noble Baron, but of the Lord Chancellor, as the Speaker of the House, into whose hands it had been put, so that it would be contrary to their own established rules if they consented to its being then withdrawn.

Lord *Plunkett* agreed with his noble friend. He was confident that the noble Baron had no intention to offer the Commons an affront by a Motion which was tantamount to a rejection of the Bill which they had sent up for their concurrence, but still felt that after the declaration of the noble Earl (Mansfield) who had just addressed them with so much zeal and ability, that he would support the Amendment, "because it put an end to every hope of Reform in any shape whatever for the present." It would be unfair to the supporters of the Amendment to consent to its withdrawal. The noble Baron, by withdrawing an Amendment supported on such grounds, must count on losing his present supporters.

The Earl of *Mansfield* begged leave to explain his own meaning. Whatever form the noble Lord might have put his Motion in, his arguments would have been the same. He considered that he was supporting the rejection of the Bill; he wished it to be rejected, and he should have used the same language had the Motion been to read the Bill that day six months.

The *Lord Chancellor* wished to direct their Lordships' attention to the particular situation in which he was placed with respect to the noble Lord's Amendment. A Motion was originally submitted to their notice, that the Bill be then read a second time, to which the noble Baron moved as an Amendment, that the Bill be forthwith rejected. That Amendment was put in his hands, and, in point of fact, was the Motion they were then discussing. Now there could be no doubt that the noble Lord had the right to ask for leave to withdraw his Motion, but there could be as little doubt that the House should be unanimous in their assenting to its being so withdrawn before he, as Speaker, could pronounce that it could be so withdrawn consistently with the rules of the House. If any single noble Lord objected to its being withdrawn, he (the Lord Chancellor) was bound to put it formally from the Woolsack, so that the noble Lord's declaration, that he would not divide the House on it, was practically nugatory, and would be so till every other noble Lord had waived his objection to its being withdrawn.

The Earl of *Shaftesbury* thought that all difficulties would be got over by the noble and learned Lord's putting the question in the usual form of Amendment, namely, that "the words proposed to be left out stand part of the question."

Earl *Grey* differed from the noble Earl, and agreed in the view taken by his noble friends of the true character of the Amendment. After the declaration of the noble supporters of that Amendment, that their approval of it was founded on the fact that it "went to put an end to the Reform altogether, and thus save the public from all delusion on the subject," it was right that it should be recorded on their Journals, that a Bill sent up by the House of Commons had been met by the most unusual and harsh, and most extraordinary motion of an unqualified rejection. It was the more incumbent upon them to thus enable the country to view the Motion in its true colours, because the noble Mover was bound to justify it by exposing the defectiveness of the principle of the Bill against which it was directed. Instead of doing this, however, the noble Lord's objections were directed wholly against the details (which more properly would come under discussion at a future stage), while the principle was left totally untouched. The noble Earl then expressed a hope that the discussion would terminate there for that evening, their Lordships consenting to an adjournment of the debate till to-morrow.

The Earl of *Carnarvon* said, that the simple facts of the case were these—that his noble friend having sat down without moving his Amendment, he then got up and inadvertently made the Motion in its present shape. He was surprised that, under such circumstances, his Majesty's Ministers should offer any obstacle to his noble friend's withdrawing his Motion, for the purpose of putting it into the usual and regular shape. His noble friend had appealed to the general feeling of the House, and, for his part, he (the Earl of Carnarvon) did not envy his Majesty's Ministers the dignified position which had been assumed by them on this occasion, even supposing that they were right in their view as to the line of order. He believed, however, that they were wrong, and he believed so for this reason, that the only motion which the noble Lord on the Woolsack would have to put would be, that "the words to be left out stand part of the question." Now his noble friend merely wished to substitute for the words which he had originally moved, the usual form of words employed in moving the rejection of a Bill; and he did not think that the House, if they had the right of preventing him from doing so, would exercise such a right, at least he (the Earl of Carnarvon) never remembered an instance of its exercise. He was quite certain that no noble Lord would be brought over to the side of the noble Lord opposite by so shallow, and indeed, were it not for the respect which he entertained for the noble Lord who had urged the objection, he would say so paltry an artifice as this. No matter what might be the form of words employed, it was well understood by all that the Motion meant the throwing out of the Bill, and nothing more or less. The fair course of proceeding would be, to allow his noble friend to withdraw his Amendment, for the purpose of rectifying it,and putting it in the usual and ordinary shape.

Lord *Holland* wished to know what question was at present before the House for discussion?

Lord *Wharncliffe* could assure the noble Lords opposite, that his great object was, to have this Bill rejected, and as the usual mode of doing so in the case of a bill was, to move that it be read a second time that day six months, he did imagine that there would have been no objection to his altering his Motion to that form. It was quite absurd to try to puzzle people out of doors by proceeding in the kind of way that the noble Lords opposite insisted upon. Every one would know that the Motion "that this Bill be read a second time this day six months," in point of fact, was as complete a rejection of the Bill as if the Motion stood "that this Bill be rejected." Why, therefore, object to the altering his Motion? Was it an attempt to fix upon him (Lord Wharncliffe) an intention to give offence to the House of Commons and the people, by the use of the terms in which the Amendment, as it stood, was couched? Was that the object which the noble Lord had in view? If it was not, why not allow him to alter the Amendment, especially as he had disclaimed any intention of disrespect towards the House of Commons in moving the Amendment in its present shape?

The *Lord Chancellor* rose to order. There was, in fact, no regular question before the House at present. He was sorry to be obliged to interrupt the noble Lord, but in order to give him and other noble Lords an opportunity of addressing the House on some question, he would move that the further consideration of this question be adjourned till to-morrow.

Lord *Wharncliffe* would avail himself of the opportunity to speak on that question. Again he would appeal to the noble Lords opposite, and he would ask them, whether they meant to impute to him the intention, in using the words of the present Amendment, to put an affront on the House of Commons? Did they mean to impute that to him which he had not intended, and which he had disavowed? If that was the object which the noble Lords had in objecting to the alteration of his Amendment, he would give them joy of their triumph. It was at best but a paltry endeavour to cast an imputation upon him which he did not deserve, and to attach a meaning to words which they were never intended to convey. Again, he would wish them joy of a triumph under such circumstances.

Lord *Holland* said, the noble Lord had inquired whether, in objecting to the withdrawal of his Amendment, he meant to impute to him any intention, in proposing that Amendment in its present shape, to put an affront on the House of Commons? He did not impute any such intention to the noble Lord, as the noble Lord had himself disavowed it. But then the noble Lord rejoined, "Why object to the withdrawing of my Amendment?" Why, in the first place, he (Lord Holland) had a right as an individual Peer, once that the Motion was made, to object to its being withdrawn, without at all meaning to cast any imputation on the noble Lord who moved it; and in the second place his reason, for doing so in this instance was, that he believed that the form in which the noble Lord had put his Motion was highly advantageous to the present Bill.

The Earl of *Mulgrave* remarked, that it was rather odd that the excuse made for the noble Baron for having put his Amendment in its present shape was, that he had done so "inadvertently," seeing that the whole of the noble Baron's speech in moving that Amendment was an attack upon his Majesty's Ministers for "inadvertencies" which he attributed to them in the framing of the details of the Bill. After dwelling so much upon what he termed "inadvertencies," the noble Lord himself, it would appear, had "inadvertently" moved an Amendment with regard to a Bill which had been six months before the public, and which had been sent up to that House by a large majority of the House of Commons.

Earl *Grey* observed, that the noble Lord (Wharncliffe) had assumed a tone which little became him on this occasion. He spoke of a triumph on that (the Ministerial) side of the House, and he wished them joy of it, and he hoped that the country would understand it. Now, there was nothing in what had occurred that at all justified such observations on the part of the noble Lord. What was the fact? Why, that the noble Lord came down to the House, and, after making a long speech against the Bill, he ended with the unusual motion "that this Bill be rejected." The noble Lord had said, that he put his motion in that shape inadvertently, but who could have supposed that it was an "inadvertent" motion. It had all the appearance of having been well considered and maturely weighed. Indeed, the motion, when made, seemed as if it had been concocted by a number of the noble Lords opposite, in order to put a complete extinguisher on the question, and the noble Earl opposite (Mansfield) distinctly stated, that he cordially supported the Motion in the shape in which it was put, with a view to show the people of this country, that that House altogether "rejected" this question. Considering all the circumstances of the case, seeing that the noble Lord was put forward in the front of the battle—that he made a Motion which was supported in the way that it had been supported—that the motion itself was an unusual one, and taking into account the pains which the noble Earl (Mansfield) had taken to let the country know that this Motion meant a pure and complete rejection of the Reform Bill; calling all those circumstances to mind, he certainly did suppose that the motion which had been made by the noble Lord, was a deliberate and well-considered act. It was for these reasons, and not for the purpose of giving any triumph, not for the purpose of doing anything beyond retaining an advantage that arose in the course of debate, that, notwithstanding the acrimony which had been displayed by the noble Earl (Carnarvon) on this occasion, he (Earl Grey,) would say, that he thought that the objection which had been raised by his noble friend behind him, had been perfectly justified by the circumstances of the case. It was on these principles that he supported the objection urged by his noble friend, and in order that their proceedings might appear consistently upon their Lordships Journals.

The Duke of *Wellington* said, that he was surprised that his Majesty's Ministers should object to the withdrawing of this Motion for the purpose of having it altered, if they at all conceived that the effect of it would be to give offence to the House of Commons. For his part, he could not understand what objection there could be to his noble friend's being allowed to withdraw his Amendment, for the purpose of putting it in less objectionable terms. He did hope that the noble Lords opposite would yield that point before they adjourned this night, as it was most desirable that, if the Bill was to be rejected, it should be rejected in a manner the most palatable to the House of Commons.

The Duke of *Richmond:* The only palatable thing for the House of Commons, my Lords, will be, to read this Bill a second time.

Lord *Kenyon* said, that the intention of his noble friend had been, to move that the Bill be read a second time that day six months, for which he had inadvertently substituted the present Motion.

The Earl of *Radnor* wished to know whether the noble Lord had, in using the present words, intended to convey by them a greater degree of bitterness or hostility against the Bill, in rejecting it, than if he had moved, in the usual terms, that it be read a second time that day six months.

Lord *Wharncliffe:* Certainly not. I intended to convey nothing more than if I had moved that the Bill be read a second time this day six months, namely, a complete rejection of the Bill on the part of this House.

The Earl of *Radnor* said, that under such circumstances, though he could not blame his noble friend (Lord Holland) for retaining any advantage which might arise in the course of the debate, still he thought that he ought not to persevere in his objection.

The Duke of *Buckingham* said, that stating the objection should be persevered in, he would move, as it was competent for any noble Lord to do, as an amendment upon the amendment proposed by his noble friend, "that this Bill be read a second time this day six months."

The Earl of *Haddington* said, that he must do his noble friend (Lord Wharncliffe) the justice to declare, that he had some personal communication with him, after he had made the Motion, because he understood that to reject a Bill would be interpreted as treating it with peculiar disrespect. But his noble friend had not seen it in that light, until the practice of the House of Commons was brought under his view, when he at once declared he could have no intention to treat the House of Commons with disrespect, and was therefore anxious to withdraw his Motion.

Lord *Holland* said, that after the assurance which they had received from the noble Lord, that in proposing this amendment he meant nothing more than if he had proposed the usual amendment, that the Bill be read a second time that day six months, he was most willing to waive his objection against the noble Lord's withdrawing his amendment.

The motion for allowing Lord Wharncliffe to withdraw his Amendment put and agreed to.

The debate was then adjourned.

HOUSE OF COMMONS,

Monday, October 3, 1831.

Minutes.] Bills. Read a first time; Pluralities. Read a second time; the Sale of Beer Act Amendment. Read a third time and passed; Churches Building Act Amendment.

Returns ordered. On the Motion of Colonel Evans, an account of the quantity of Spirits in Imperial Gallons, in bond, January, 1826, and bonded since up to the 5th January, 1831, with the quantity that had paid duty, &c.

Petitions presented. By Colonel Evans, from Tunbridge, praying for inquiry in the case of Mr. and Mrs. Deacle. By Mr. Tynte, from the Landowners and Parishioners of the Borough of Bridgewater, against the General Register Bill. By Mr. Cutlar Fergusson, from Robert Hunter, of Lunna, one of the Shetland Islands, for a Member to be granted to Shetland. By Mr. Ramsey, against that part of the Reform Bill for Scotland, which unites Ulloa to Clackmannan, from an Inhabitant of Ulloa.

Irish Yeomanry.] Mr. *Lambert* rose to present Petitions from Gorey, Templeshambe, Adamstown, and other places in Ireland, praying the House to adopt measures to disband the Yeomanry Corps in that country. These petitions were respectfully worded, and he fully concurred in the prayer of them. He would take that opportunity to say a few words on the deplorable transactions at Newtownbarry, as his former remarks had been contradicted. He now therefore repeated, that all his former statements, and he had taken great pains to verify them, with the exception of one fact, were perfectly true; that one was, he had stated that two of his constituents had been killed in that affray; the case was, the son of one was shot dead, and the son of another bodily wounded. He would move, that the petitions be brought up.

On the question that they be printed,—

Mr. *James E. Gordon* said, he regretted the hon. Member had again brought the subject forward, after his former statements had been so completely met by affidavits and evidence, which, in the opinion of every hon. Member who heard them, were quite conclusive.

An *Hon. Member* remarked, that the aspersions on the Yeomanry Force as a body, were totally unfounded, and he trusted the Government would not listen to the remarks of persons whose only object was, to get rid of a loyal, and respectable force.

Mr. *Blackney:* Sir, with many of the signatures to this petition I am well acquainted; some of them are those of my constituents, and highly respectable men. I mingle with them in their afflictions, I sincerely join in the prayer of their petition. What remedy can be had for this unnatural state of things? Reform will be the antidote. Thanks to the wisdom of the Legislature, and the benignity of a just and a patriotic King, honest Representatives will hereafter portray the sufferings of his Irish subjects. From this House he will learn the true character of a people, loyal, though oppressed; easily governed in justice, but ever unmanageable under a system of coercion. Sir, my constituents complain of the slow progress of the Bill; they feel indignant at reports attributed to hon. Members in this House, as to the present state of public opinion, quite at variance with facts. Sir, I am fully sensible of the intense anxiety and impatience which prevail in Ireland on this great question. We have arrived at a crisis of the deepest interest; we are presently to choose between liberty and despotism. Shall we, the Reformers in this House, favoured as we have been by a generous and a confiding people, look on with apathy, whilst powerful enemies to their liberties are abroad, active, and insidiously at work? Sir, 'tis time that we bestir ourselves, and keep in view the powerful bearing of public opinion; and whilst we here display an earnestness worthy of freemen, and inseparable from our duty, in a cause of such vital importance to the State, we may engage the grave attention of high personages in another place, remind them of expectations out of doors, and a general apprehension of calamities, which would probably result from the discomfiture of the Bill. Sir, I will not give way to gloomy anticipations; every honest man may be in himself a host; if, then, we are faithful to our trust, the righteous cause must be triumphant. I ask pardon for having diverged from the subject immediately before the House—I feel grateful for your indulgence.

Colonel *Evans* declared it to be his opinion, that 2,000 regular troops, which might have been conveyed from this country in less time than it took to embody the Yeomanry, would have been a more efficient force than ten times that number of irregular troops.

Mr. *Hunt* said, he believed the Yeomanry were more frequently employed in collecting tithes, than in any other service.

Mr. *O'Connell* wished that some motion might be made upon the subject of the Newtownbarry affair, so that the transaction might be discussed at once, and not brought forward so incessantly upon petitions.

Mr. *John Browne* knew, that in Mayo the Yeomanry was not so exclusively a Protestant force as some Gentlemen described it. Both Protestants and Catholics were admitted.

Sir *Robert Bateson* defended the Yeomanry. If they were not preserved, and the people came to blows, which seemed very likely, as agitators were continually going through the country, the Government must maintain 20,000 men in Ulster alone. If Catholics were sometimes ill-treated by the Yeomanry, as hon. Gentlemen said, though he did not believe it, Protestants, he could assure the House, did not escape. Frequently were they way-laid, beaten, and murdered. It would be the destruction of the Protestants in Ireland to disarm the Yeomanry.

Mr. *Sheil* maintained, that the Yeomanry was exclusively a Protestant force; and unless the Government wished to provoke civil war, they ought to be disarmed.

Mr. *Wyse* hoped that some early day would be selected for the discussion of this question, when some resolution might be adopted, which would induce the Government to take a decided course.

Mr. *Henry Grattan* was of opinion, that the agitation to which hon. Members alluded, arose principally from poverty and oppression. It was not caused by the hon. and learned member for Kerry, great as were his talents. He was persuaded, that the Yeomanry only exasperated the great body of the people; and he hoped, that his Majesty's Government would take a course which shewed that it felt for them.

Petitions laid on the Table, and to be printed.

SUPPLY — CATHOLIC WITNESSES.] Lord Althorp moved the Order of the Day for receiving the Report of the Committee of Supply granted to his Majesty.

Mr. *O'Connell* said, he wished to ask

the hon. and learned Gentleman (the Attorney General), whether there was any particular law relating to Roman Catholic witnesses being sworn in a peculiar manner. The cause of his asking this question was, that he considered a witness of that persuasion had been treated with indignity by an Election Committee. He had been under examination some time, until it was thought proper to inquire into his religion, and, on his declaring himself a Catholic, the Committee decided he must be re-sworn upon a Testament having a cross upon it.

The *Attorney General* said, he never heard of but one law on the subject, and that was, the person to be sworn should take the oath in the way he considered binding on his conscience; and if a Catholic, therefore, on being asked, declared the form proposed to be binding upon him, it was all that could be required.

Report brought up.

Mr. *Hunt* complained of the levity with which money was voted away by the House, and remonstrated against that portion of the grant which was on account of salaries.

Lord *Althorp* said, that the whole subject had been discussed and determined on Friday last.

Report agreed to.

FINANCES OF THE COUNTRY.] House in a Committee of Ways and Means.

Lord *Althorp* said, that it was his intention to state to the House his view of the Expenditure and Revenue for the present year. He proposed to do so—first, by stating what the revenues of the year would be, then the expenditure, and lastly, what would be the balance of the account. The mode in which he would arrive at this result would be, by saying what the produce of last year was; what was the difference between last year and the current year, up to the present time; and what would be probably received for the last quarter of this year. The produce of the Customs for 1830 amounted to 17,540,000*l.* A decrease had taken place on the receipts of the year, that was up to the 24th of September, from the 1st of January, 1831, to the amount of 644,000*l.* This reduced the Customs for 1831 to 16,896,000*l.* I calculate (continued the noble Lord) that there will be a further loss of 210,000*l.* upon coals, duties which will reduce the Customs to the amount of 16,686,000*l.* I expect, however, that the duties on cotton and on coals exported will yield an increase of 100,000*l.* making the whole estimated produce of the present year for the Customs 16,786,000*l.*; but, to keep entirely within bounds, I will take it at only 16,750,000*l.* That would allow for any falling off which might take place in the quarter yet to run. The produce of the Excise for 1830 was 18,644,000*l.* The decrease, up to the 24th of September is upwards of 1,000,000*l.* And I calculate that the further reduction on the quarter yet to run will amount to 400,000*l.*, making the falling off in the whole year 1,901,000*l.* The estimated produce, then, of the Excise for this year will be 16,743,000*l.* To this, however, is to be added, 157,000 already received on account of the wine duties, making the probable receipts of the whole Excise for the year upwards of 16,900,000*l.*; but I will, in order to allow for accidents, take them at 16,800,000*l.* With respect to the falling off in the Customs, it will be necessary to bring under the notice of the House what is the amount of taxes that have been reduced, and what effect they have had on the revenues. The amount of taxes reduced in the two years 1830 and 1831, in the Customs is 1,120,000*l.*, and in the Excise is 3,357,000*l.*, making the whole amount 4,477,000*l.* But the revenue accruing from the Customs and Excise, which amounted in 1830 to 36,184,707*l.* will now amount to 33,550,000*l.* Thus the decrease, by a fair computation, instead of being 4,000,000*l.*, has only been 2,634,000*l.* It would now be understood, that the Customs amount to 16,750,000*l.* The Excise amounts to 16,800,000*l.* The Stamps and Post-office duties, and the Miscellaneous branches of the revenue yielded nearly 14,000,000*l.*, making the amount of the whole revenue 47,250,000*l.* He now came to the Expenditure. At this period Government knew better what was likely to be the expenditure than at an early period of the year. In the early part of the year, Government were obliged to make up the amount from estimates, but at the present time a very small proportion was made up from them. He could, in consequence, make a statement of the expenditure which might be perfectly relied on. It amounted, up to the 24th of September, to 35,222,641*l.* The expenditure from that time to the end of the year would amount to 11,533,880*l.*, thus making the whole expenditure for 1831, 46,756,521*l.* The surplus which would remain, after deducting the expenditure from the revenue would be just 493,479*l.* The expenditure, he found, for 1830, was 47,812,000*l.* He had examined the statements in every way that he could, and he was sure that he was not chargeable with any exaggeration. He had consulted those in the Treasury whom he believed to have had the most experience, and they told him, that he could with confidence rely on the general accuracy of the statements made. The whole effect of these would cause him, however, to make a few remarks, because it appeared, that comparing these with the statements of last February, the amount was rather larger than he stated at that time, notwithstanding the number of taxes he had been enabled to repeal. He would only state, that in February he made no allowance for the general increase in the revenues of the country, and the consequences of that increase. There were, however, two other circumstances relative to the mode in which he had disposed of the balance, to which he would wish to advert; the first was the state of the currency, in consequence of a question that was asked a few nights since by the hon. member for Oakhampton, respecting the circulating medium; and his present statement would be considered an answer to that statement. He wished most particularly, and it was desired by others as well as himself, to state the course which had been pursued by the Bank during the last year, in order to do away the suspicions and imputations thrown out that it had again been tampering with the currency. It was perfectly well known to the House that the exchange had for a long time been against this country˙ In consequence of this there must be a considerable draft upon the Bank, which was the pivot on which the circulating medium turned. The effect of this draft on the Bank produced a pressure on commerce, and persons engaged in commerce required bills to be discounted. If the Bank refused to discount them, the effect would be, to produce a great and unnecessary pressure upon commerce. The course which the Bank had pursued, had been, not to withhold the usual accommodation of discounting. It was essentially necessary that the Bank should not allow its securities to increase, because, if they did, while the drain remained upon them, they would be obliged to contract the circulating medium of the country, which, he need hardly add, would prove of the greatest injury. The Bank, very properly, had taken care that the securities had not increased in its hands; but as private securities had increased, it had brought, in proportion, to the market a certain proportion of Bank securities. The effect of this caused the drain to act on the circulating medium of this country gradually and fairly. The country had indeed felt the effects of the drain, but it had not been of that sudden character which in former times had produced great panics, and led to such disastrous consequences. He would then state his own course with respect to the employment of the surplus funds. At the commencement of each quarter, an average of the surplus four preceding quarters, was taken according to Act of Parliament, and that sum was to be applied to the reduction of the Debt in the succeeding quarter, if the revenue, at least, was not manifestly falling. The Act allowed the Commissioners for the reduction of the National Debt to apply the average surplus revenue to the purchase of Exchequer bills, or deficiency bills, as well as stock; and since the revenue had been diminished so much by the reduction of taxes, the surplus had been applied in the purchase of deficiency bills of the Bank. He had acted in this manner in order to diminish the number of securities in the hands of the Bank; and, although the plan was somewhat operose, the effect was, that the Debt was not reduced unless there was a real surplus of revenue. He did not feel it neccessary to detain the House any longer, and he would only add, that there had been a falling off in the Customs in the present quarter, but from the reports he had received from the outports and the Treasury, he had every reason to hope that the diminution would not continue. He should move, that the sum of 1,800,000*l.* be granted out of the Consolidated Fund, in aid of the Ways and Means.

Mr. *Goulburn* had looked forward with some anxiety to this statement of the noble Lord. If he had not been inclined before to make any remarks, he thought that the statement of the noble Lord fully justified him in making one or two observations. The noble Lord was satisfied to find himself at the close of the year with a surplus no larger than 493,000*l.*; a sum in no way sufficient to meet even the contingencies and expenses to which the Government was liable—a sum infinitely less than any former Parliament had required Ministers to retain—a sum, he must say, infinitely less than was required for the security and credit of the country. When they considered the many changes that had taken place—when they considered what the noble Lord himself had stated, he hardly knew what the House could think of the smallness of such a surplus. He wished that the noble Lord had explained to the Committee the sum total of the supplies voted for the year, so that a comparison might have been drawn between the amount actually voted, and the estimate of probable expenditure, as calculated by the noble Lord. A great hazard, he was of opinion, had been run with respect to the revenue, as Ministers had not taken into account what claims might be made upon them in a short time for the debts of the year, and whether they might not be made at an earlier period than usual. Such a hazard had been run, that the attention of the House should be called to it. Was it not essential that they should not be left, in times of peace, without resources to reduce the Debt, which, if not reduced, would come upon the country with greater weight, particularly if events should compel them to place the empire in a warlike attitude? It was the part of a prudent Government to look at events that might happen. He knew no more effectual way of crippling the power and resources of the country than that of avowing they were determined to make no efforts to reduce either the interest or the capital of that great debt, which was now accumulating, but which must some way or other be paid. During the time that he was Chancellor of the Exchequer, he induced the House of Commons to give their assent to the application of the surplus revenue to the reduction of the debt, and by that means relieved the country from a part of the burthen. He begged to draw the attention of the Committee to the state of the debt at the early part of 1828, and compare it with that of 1831. In 1828 the amount of the funded debt was 777,000,000*l.*, and the annual interest 25,700,000*l.* In 1831 the funded was reduced to 757,000,000*l.*, and the annual charge to 24,377,000*l.*, making in three years a reduction in the principal of 20,000,000*l.*, and of the charge 1,400,000*l.* He did not mean to state this was all clear advantage to the country, for during the time there had been an increase of the terminable annuities, but that in itself was a relief to the public, for it carried with it the annual application of a part of the interest paid to the extinction of that debt on which it was paid. This increase in the terminable annuities amounted to 686,000*l.*, leaving a balance of about 700,000*l.* as an absolute relief to the country. There was another item in which great relief had followed from pursuing a principle different from that of the noble Lord; the interest on Exchequer bills was reduced to the extent of 270,000*l.*, and between January 1828 and January 1831 there was a reduction of a million in the amount of Exchequer Bills. He had brought this subject before the House, because he was aware that the public attached much importance to the immediate reduction of taxation, without considering the ultimate benefits that might be derived from pursuing a course which involved some present sacrifice. He did not mean to undervalue reduction of taxation, provided it could be effected without crippling the national credit and prosperity. They must deal first with their debt, and apply the surplus revenue to reduce taxes; it was by pursuing that method last year he had recommended the reduction of taxes to the amount of 4,000,000*l.*; this reduction arose naturally from the funds already in hand, from the decrease of the public expenditure by about 3,500,000*l.*, and allowed him the pleasure of saying to the House "You have funds in hand, and can reduce taxation in a mode most likely to benefit the community, and at the same time forward their permanent interest by reducing the debt." He would not enter into the argument whether the taxes reduced this session were those best calculated to relieve the various suffering interests of the country. He must be permitted to observe, however, that the noble Lord (the Chancellor of the Exchequer) had given up a revenue to the amount of 900,000*l.*; but as he had no command over that complicated machinery by which the coal tax was regulated—the people had not benefitted by the remission to a greater amount than 250,000*l.* With respect to the application of the surplus revenue, the noble Lord had not fairly and explicitly stated the nature of the Bill which he (Mr. Goulburn) had introduced. The object was, that you should apply to the reduction of the Debt the exact surplus over the expenditure. If that was to be carried on in the ordinary way, the Commissioners for the reduction of the National Debt must have waited till the 31st of December, and then applied the whole of the amount to the reduction of the Debt. To apply a large sum at one time, for that purpose, was, in his opinion, likely to produce great fluctuation. Parliament had, therefore, made a regulation that the surplus of each quarter should be employed. He did not think that it was proper to anticipate the revenue for the quarter, and employ it for a distinct purpose, as, although no augmentation of the expense had unexpectedly taken place, still such a circumstance was not unlikely to occur. It appeared to him that the only effect of the noble Lord's conduct in purchasing the deficiency bills, would be, to put into the pocket of the Bank the interest of so much of the coming in revenue as, by the purchase of the bills, lay in the hands of the Bank. A deficiency bill, which anticipated the quarter's revenue, was obliged to be taken up each succeeding quarter. By the purchase of Exchequer bills, the public obtained the interest which the Bank now had, and the coming in of the money relieved the public of the charge for the interest. The only object he had in view on the present occasion was, to call the serious attention of the House to the abandonment of the most important principle of attempting to discharge a part of the debt which had been incurred during the late war; and to enter his decided protest against a system of finance, which he feared would be found the parent of extravagance and ruin. This was his present object: but he must conclude by saying, that the revenue of the country presented certainly a pleasing aspect, as it showed them an additional example of the extent and power of the country, and gave them a hope, that if the circumstances of the State required assistance, they might look for it with confidence amongst the enterprising inhabitants of Great Britain.

Mr. *Maberly* said, he was surprised at the observation of the right hon. Gentleman, the Sinking Fund had been so notoriously fallacious, that the House, before the right hon. Gentleman resigned office, had determined that the Sinking Fund, for the future, should consist only of the surplus revenue and expenditure, In carrying this plan into execution, the right hon. Gentleman had, however, taken a retrospective instead of a prospective view. Had he at the beginning of a year estimated what the probable amount of the surplus would be, and at the end, when he found his anticipations realized, appropriated the money accordingly, he would have acted on sound principles, but he had acted otherwise, and when he quitted office, left an Act of Parliament behind him, which bound his successors to act as they had done. Therefore, if there was any error or mismanagement with respect to the deficiency bills, it was owing to the bad arrangements of the late Chancellor of the Exchequer. This difficulty he had foreseen and mentioned, and it admitted of no other remedy than an Act to repeal the former one. The right hon. Gentleman seemed to suppose the country would receive injury from the smallness of the surplus over the expenditure. He (Mr. Maberly) had always maintained, that it was better to relieve the country, heavily burthened with taxes as it was, by a reduction of these, than keep up a large Sinking Fund. The reduction of taxes, of which the right hon. Gentleman seemed so proud, as effected by the late Administration was the great cause of the smallness of the present Sinking Fund: he ought not to complain of the consequences of his own acts. He was ready to admit these acts were proper on the principle of relieving a country heavily taxed; but nothing could be more absurd, than to increase the funded debt, for the sake of having a larger Sinking Fund. He was decidedly of opinion the noble Lord had pursued the best course that had been left open to him.

Lord *Althorp* said, he had no doubt, the right hon. Gentleman would remember that he had stated, that although the surplus was very small at the beginning of the year, yet, that he did expect it would increase towards the end. He was ready to admit, that the amount of the surplus was not so large as was desirable. With respect to the Sinking Fund, he thought the right hon. Gentleman had acted perfectly right in taking a retrospective instead of a prospective view, as had been contended for by his hon. friend (Mr. Maberly). An estimate at the beginning of the year would be more likely to lead to error and difficulty than the mode of calculating the surplus at the end. The right hon. Gentleman defended the operation of the Sinking Fund, upon the ground that it enabled Ministers to reduce the amount of interest upon the different funds. He did not believe that experience justified them in forming that opinion of it. However, without going into that question, he was ready to contend, that the best course to relieve the country was by a reduction of taxation. With respect to the alleged profit of the Bank, upon the purchase of deficiency bills, he would only say, that it might have been so if he had carried the purchase to an extreme. It was said, that he would have done better if he had purchased Exchequer bills. He would show the fallacy of this suggestion. Deficiency bills were sold at a par, but Exchequer bills must be purchased at a premium, unless the Bank were prepared to sell them to Government at a less price than they did to the public.

Mr. *Hume* said, that the Sinking Fund was a mere delusion, and that it deceived the public. The statements of the Revenue which had appeared in *The Gazette* were delusive. They were all retrospective; but the public, from the manner in which they were put, conceived that they were prospective. He hoped that this practice would be abolished, and that all estimates in future would be prospective. This would lead the accounts to be made up in such a manner as any man might understand them. The right hon. Gentleman had stated, that the surplus which he maintained during the time he acted as Chancellor of the Exchequer, enabled him to reduce the amount of interest on the Public Funds. He believed, however, that was not the fact, and if a calculation was gone into, it would fully appear, that the maintenance of a Sinking Fund of 500,000*l.* or 3,000,000*l.* would not have the smallest effect in that respect. Reduction of taxation was infinitely more desirable than a large surplus. He was for keeping the Government as short as possible, and he considered a surplus of half a million amply sufficient. The only complaint he had to make upon the statement which the noble Lord had submitted to the House was, the great amount of expenditure. He had hoped the charge for this year would have been less than the last. He regretted, therefore, to find it greater; but with respect to the mode of applying the surplus, he was decidedly of opinion that the noble Lord had adopted the wisest and most prudent course. The system of deficiency bills was not a new one, it was left as a legacy by preceding Governments, and it was beneficial to apply any surplus to taking up bills of that description.

Mr. *Goulburn* observed, for Gentlemen who were acquainted with accounts as the hon. Members who had addressed the House on this subject were, he was surprised at their doctrines. They contended, that only the surplus of revenue over expenditure should be applied to the reduction of the Debt. How was that amount to be ascertained, otherwise than by taking the income and expenditure of the past year? but the hon. member for Abingdon, instead of pursuing this natural method, says, calculate your revenue and estimates for the coming year, deduct the probable amount of the one from the other, and you have — what? a chance surplus. He asked any man conversant with accounts which was the proper method? How could it be possible to calculate by anticipation what was to be the income and expense of a year to come? Did the House recollect the time when Lord Goderich, by pursuing such a course in the year 1827, calculated 2,000,000*l.* beyond his real resources? All experience showed that such a system, so far from producing accuracy, increased, in an incalculable degree, the probability of running into debt. He would leave his plans to speak for themselves by their result. During the few years he had been in office, he had managed to reduce very considerably the amount of the expenditure, and had decreased the amount of taxation by 4,000,000*l.* per annum.

Mr. *Maberly* said, he still maintained, that the system which he and his hon. friend, the member for Middlesex, advocated was the correct one. The right hon. Gentleman contended, that the only accurate mode of calculating a surplus was to take a retrospective view. By that account you certainly know the amount of the former year's surplus, but what had that to do with a prospective revenue? The only accurate and proper mode was, to make an estimate at the commencement of the year. As to the mode in which the surplus was to be applied, he very much approved of the plan of the noble Lord. It was the deficiency bills anticipated the revenue. Supposing there should be a run upon the Bank, what would be done when the revenue had been anticipated?

Lord *Althorp* supposed it was suspected that at the end of the year Government would be in a dilemma, and would call for money in Exchequer bills. Such would not be the case. In purchasing the deficiency bills he had only taken money out of one pocket to put into another.

Mr. *Hume* was not favourable to this shuffling of cards without the attainment of any good.

Mr. *Goulburn* said, as the point at issue was one on which a difference of opinion existed among persons most acquainted with financial matters, he would pursue the subject no further at present. He, however, wished to ask at whose expense had a quantity of silver bullion been lately melted down at the Bank by order of the Government?

Lord *Althorp* replied, that the balance of the actual melting would be borne by the Mint. The account of the transaction was, that it had been ascertained the amount of shillings was too great for circulation. A pound of silver contained sixty-two shillings; but the shillings he had alluded to did not possess their full weight, there being sixty-eight to the pound. Government learning that this bullion was to be disposed of, entered into a treaty for its purchase with the Bank, who had it in their possession, and the object was, to have it re-melted and circulated at its proper value: of course some expense would arise to the public, but also some benefit by carrying it into effect. The negotiations were not, however, all concluded.

Mr. *Goulburn* said, the propriety of the transaction hinged upon the question, whether the quantity of silver coin in circulation was too large for the demand.

Resolution agreed to. House resumed.

Parliamentary Reform—Bill for Scotland—Committee.] On the Motion of Lord Althorp, " That the Chairman do leave the Chair, and the House go into a Committee on the Scotch Reform Bill,"

Sir *William Rae* thought it would be right in the absence of the learned Lord, (the Lord Advocate) to refrain from discussing the details of the Bill in Committee, and he would make use of that opportunity to call the attention of the House to the nature and character of the measure now before it. Assuredly, many material improvements had been made in the Bill since it was last under consideration, and, unquestionably, there never was a measure submitted to Parliament which more required amendment; for a more undigested and objectionable bill never was laid upon the Table of the House. In this third edition, however, some of the most obvious objections had been removed, and the Bill before the House was different in many important particulars from the Bill introduced at the commencement of the present Session, and still more different even than this from the Bill originally proposed by the learned Lord in March last. Acknowledging the alterations and improvements, he contended that the hon. Gentlemen on that side of the House were entitled to the credit of having caused them. None of importance had been voluntarily introduced by the Government in either edition of this Bill, but only now, at the last hour, had been adopted, in consequence of the notices in the Order Book, which his friends around him had given. If the question before the House had been a general resolution, touching the propriety of introducing a change into the Representation of Scotland, the learned Lord's speech, on moving the second reading, would have been properly applied, and might be considered as conclusive. But at the second reading of the special measure of Scotch Reform proposed by his Majesty's Ministers, it appeared to him that the learned Lord Advocate, and those who supported that measure, were not entitled to stop short after having merely shewn that the Representation of Scotland was bad—they ought to have gone on to shew that the Bill laid on the Table of the House was the best measure of improvement that could be proposed—the fittest that human ingenuity could invent, to remedy the evils of the existing system. The learned Lord told the House, that that system was so bad that he would not leave a rag of it behind. That being the case, he being unfettered by any thing which had hitherto existed—putting out of the question everything that prescription had sanctioned—he was at full liberty to submit to the House, indeed was bound to submit, as good a system as human ingenuity could invent. Instead, however, of being the best system that could be imagined, the measure under consideration was liable to obvious objections. He would not enter into the details of the Bill; but offer a few observations upon its leading principles. One most important of these was, the qualification for giving the right of voting. The franchise of the counties was to be placed in the proprietors of heritable property producing 10*l.* a-year; and that of the boroughs in the occupiers of houses rated at the like value. In any system of Representation, one of the first objects ought to be, to give to every interest in a country its due share of influence in the Legislature. While the landed or county interests were protected on the one hand, the commercial and manufacturing interests must not be neglected on the other. In the English Bill, great attention was paid to this principle; and while the elective franchise was extended to the manufacturing and commercial interests, care was taken to give an equivalent advantage to the landed interest. Although the franchise was conferred on many large and populous towns, the number of English boroughs was, on the whole, much diminished, and the borough Representation of the country curtailed. This circumstance alone would add to the influence of the landed interest: but the English Bill did not stop there. In the first place, it constituted the Isle of Wight, which was a peculiarly agricultural district, a separate county, and gave it the right of returning a Member to Parliament. The English Bill then gave two additional Members to each of the large, and one additional Member to each of the middling counties, leaving the small counties, as at present, with the right of returning two Members to Parliament. In the English Bill, therefore, the utmost care was taken to preserve the interests of the land, by adding to the number of its Representatives, and further by confining its constituency to those who really possessed an interest in the soil. Why should not Scotland be treated in like manner? She was treated, however, very differently. In the first place, her boroughs, instead of being diminished, were to be increased by eight, to be added to those which exist at present. He did not object to an increase of the borough Representation of Scotland; on the contrary, the addition which this Bill made to it was, in his opinion, too small; but he objected to its being increased disproportionately to the Representation of the land. In a former edition of the Bill, it was even proposed to diminish the number of county Members, but that was so extravagant that the Ministers were ashamed of it, and in the present Bill they proposed that Scotland should continue to return the same number of county Representatives. But when the articles of the Union were to be entirely set aside, was Scotland not to receive one additional county Member? Was she still to adhere to her thirty county Members, when the Representation of the towns was increased; and was the influence of towns even to be allowed to interfere with the franchise in county Representation? The Representation of the counties of Peebles and Selkirk, two of the most important agricultural counties in Scotland, was indeed to be allowed to remain, after many remonstrances. Instead of the franchise being confined to the landholders of those shires, the constituency of the royal burghs of Peebles and Selkirk was to be thrown into them, which would materially encroach upon the agricultural interests. Upon what principle was it that the Scotch counties—many of them having upwards of 100,000, some of them upwards of 300,000, inhabitants, and paying a large amount of taxation—should not be admitted to the right of returning some additional Representatives? The amount of taxation contributed by Scotland at the time of the Union was—Customs, 30,000*l.* a year—Excise 33,300*l.* a year, a total of 63,000*l.* That was the whole amount of taxation paid by Scotland at the time of the Union. What was the amount of her contribution to taxation at the present time? By the last return it appeared, that the whole amount of her taxation, including customs, excise, assessed-taxes, stamps, &c., was no less than 5,155,422*l.* a-year! How was it then that a country so charged was not to be allowed some additional Representation. He would next call the attention of the House to the qualification which, under the Bill, was to give the right of voting in the Scotch counties. If this Bill were passed in its present shape, there would be an end for ever to the influence of the land-owners of Scotland. The franchise was to be vested in persons possessing heritable property of the value of 10*l.* a-year; including house property as well as land. Now an individual of the lower orders in Scotland, particularly in the manufacturing districts, always shews a strong desire to be the owner of the house in which he lives. Hence, as soon as he possesses the means of building a house, he proceeds to feu a piece of ground from a neighbouring proprietor, which was a permanent acquisition of land on payment to the superior or owner of an annual sum in the name of feu-duty. On this piece of land he builds a substantial stone house of one story, which he personally occupies. Under the proposed Representative system, this individual would assert that his house and bit of land were jointly worth 10*l.* a-year to him; consequently, every one of these feuars would have a vote for his county, under this Bill. But was the interest of such persons in unison with that of the landed interest? Quite the reverse. Did they attach themselves to the proprietor of the land? On the contrary—they had no kind of respect or regard for him—they rather looked to the manufacturer who gave them work—and all their views and interests were bound up with those of the inhabitants of the towns. What then would be the working of this Bill if these feuars were to be admitted into the county constituency? They would, without doubt, out-number all the proprietors of the land, and thus, in reality, the county Members would be chosen by a town constituency. The admission of leaseholders would form no counterbalance to those feuars. In Scotland the farms were invariably large, consisting of many hundred acres, and generally let for a long course of years. The number of tenants was, therefore, comparatively few; and the proprietor had little command over them. Few landlords would be willing to break down their farms to suit political purposes, and in many cases it was not in their power, much of the land in Scotland being under strict entail, and short leases being almost uniformly prohibited. The admission of leaseholders to vote was, however, a very questionable benefit. At present the most friendly intercourse existed between landlord and tenant, but when this new scheme should be brought into operation, he was confident that politics would become a constant source of bickering. He was sure the tenantry were not anxious for a measure which would be prejudicial to the whole country, being calculated to break up that general good understanding which now universally subsisted. The provisions of the Bill tended to annihilate the landed interest of Scotland. The right of voting ought to be connected with the possession of land; and provided that the valued rent of land only were included, and not the value of houses, he should not stickle as to the lowness of the amount of qualification; but as the provisions of the Bill took political influence from the land instead of giving to it, he must object to and oppose them. The qualification for the electors of towns was less objectionable than that for the electors of counties; and might, therefore, be considered in the Committee. He would, therefore, not advert to that point. He should wish, however, to hear from some Member opposite, in the event of the Bill becoming the law, what would the Lord Advocate of Scotland do, if he, through some possible want of popularity, lost his seat? He would no longer be able to obtain access to the House by means of an English nomination borough, for they were all to be abolished. On every account, it was more convenient that the Lord Advocate should be Member for an English borough, than for a place in Scotland, for then he escaped from those local attachments which, even without his knowledge, were sometimes liable to influence him. It was quite clear, that circumstances might arise to render the Lord Advocate's election by a popular constituency, a matter of great improbability; indeed, that circumstance might apply to all members of the Government, and he was quite at a loss to imagine how they were to find their way into the House. Looking, generally, to the principle of the measure, he could not consider it a good one; and he was inclined to abide by the present system, under which the country had prospered to an unexampled degree, until a less objectionable plan should be proposed. The question was not whether the present system was the best that could be devised, but whether this measure was the most proper remedy for its evils. Before the introduction of this Bill it was never said that the Representatives of Scottish counties did not represent the property of those counties. Every one acquainted with Scotland knew that the fact was the reverse. It was said, too, that Scotland had no Representatives: he indignantly denied the assertion. If, however, it were meant that there were no popular Representatives—no Members chosen by several thousands of constituents—he admitted the fact. But would any Member for a Scotch county consider that he had no constituents, and was not a Representative of the people of Scotland? He admitted that the expense of being elected for a Scotch county was less than that of being elected for an English county; but the duties of the Representatives were as great and the electors as independent. It had been said that the Members for Scotland had not done their duty, and had neglected the interests of their country. He denied the assertion. For the last thirteen years he had marked their conduct in Parliament; and he said without hesitation, that no Members could possibly be more anxious to promote the interests of the country, than those returned for that portion of the empire. He would refer to their opposition to extending the Small-note bill to Scotland. It was the Scotch Members who succeeded in getting that subject referred to a Committee, of which the late Secretary of State was Chairman, and who brought up such evidence as led to a report favourable to the continuance of these notes in circulation in Scotland. There was one of the details which he felt called upon to notice; the important changes proposed in the office of Sheriff in Scotland. In England, the Churchwardens were to make out the lists of the persons entitled to vote, and to conduct everything until a disputed point arose; but, in Scotland, the Judge of an important Court was named to this office. Now, why was not the same course adopted in Scotland as in England? Why not appoint the schoolmaster or session-clerk of every parish to make out the lists, instead of throwing that duty upon the Sheriff? His duty ought to commence at the next stage, and he should decide upon disputed matters, after hearing the statements of contending parties. In England the decisions of Barristers virtually named by the Chancellor, was to be final; but in Scotland the sentence of the King's Judge was not to be conclusive. Other Judges were to be appointed to investigate his proceedings in each county. He always thought that the anxious desire of the House and the Government was, to make the Judges entirely independent of political matters, and to keep them aloof from all party politics. This Bill, however, would involve every Sheriff in political squabbles. It would be quite impossible for him to make out the lists without being supposed to be partially inclined towards one party or another, and of such suspicion he ought to be entirely relieved. Could it be fitting that the individual who had to try all the civil actions in the county should be thus mixed up with the party politics of the district, and be thereby deprived of the character for impartiality which to a Judge and Magistrate was of such inestimable value? The appeal, too, from the decision of the Sheriff, must be attended with trouble, delay, and expense. If the decision of the English Barrister was to be final, ought not that of the Scotch Judge to be equally so? There was a blank in the Bill to be filled up, it was said, by the insertion of the words "Advocates or Barristers." He trusted that it was not meant to introduce English lawyers into this new Court. But what Scotch Advocates could be found capable of reversing the judgments of the Sheriffs, many of whom were men of great experience and practice at the Scotch Bar? It was difficult to see how this appeal could avail, when no record was to be kept of the first proceeding. The case, on appeal, might be made to rest on different facts and different evidence from what were laid before the Sheriff. But be this as it might, the degrading position in which the Bill would place the Sheriff, by sending political Judges round the counties to overturn his decision and reverse his proceedings, could not be too strongly reprobated. If there must be an appeal, it would be better to make the appeal lie to the Sheriff from the decisions of these temporary functionaries. But why have an appeal at all? If the Legislature would not trust the Sheriff alone, why should he not have a Jury? The value of the property on which a vote was to be given under this Bill was a question more fit for a Jury than a Judge, there being no county or other rates by which that value could be determined. Firmly resolved to resist this absurd provision of the Bill to the very uttermost, he wished to be spared the necessity of doing so, by the Government rejecting it. He hoped the Government would take this matter into its serious consideration, and not, for a trifling saving, break in upon a judicial system, perhaps the most valuable that any country was ever blessed with, The part of the Lord Advocate's address which he most disapproved of was that where he held out something like a threat of disturbance if the Reform Bill should not pass. He did not believe that there would be any such disturbance, unless the people were encouraged to commit it, as they were at the last elections. The Lord Advocate said, that the disturbances that recently occurred in Scotland were imputable to the great desire of the people for Reform. He doubted the truth of that assertion, for a twelvemonth ago there was no feeling of the sort prevalent, and the country was happy and contented. The expression of sentiments favourable to Reform had been occasioned by the conduct of Government. The learned Lord certainly had had better opportunities of forming a correct judgment on the subject, during the last year, than he had had; but he could speak with perfect confidence of what was the state of the country for the twelve preceding years. He was sure that, if the Government were true to the law, there was no danger to be apprehended. The people were generally well disposed, submissive, and obedient to the law; and it was only the erroneous impression which prevailed—that the King's Ministers desired this manifestation of public feeling—that had induced the people to express themselves strongly in favour of Reform. He was in office in 1820 and 1821, when the excitement, occasioned by distress, was extreme, and when Glasgow was organized for rebellion; but a determination on the part of the Government to maintain the laws, put a stop to all appearance of disturbance, without the shedding of blood or any severe proceeding of any kind. The conduct of Government at the present moment must, however, be decided and firm—it must not call upon the Sheriff to maintain the peace without giving him the means of upholding his authority. It must not, when he has succeeded in this arduous duty, withhold its approbation of his conduct, or take any step from which the disturbers of the public peace can suppose that their behaviour is not entirely discountenanced. He was persuaded that the people supposed that their conduct was in accordance with the wishes of Government. Let but the Government do its duty, let it but enforce the law and discountenance disturbance, and good order would be maintained. If it wished to have riot, it would not wish in vain, but he trusted that the Ministers would not fail honestly to exercise their power, and relieve themselves of the responsibility of neglecting to provide for the public tranquillity.

Mr. *Cutlar Fergusson* said, that he was not aware of any thing that could justify the insinuations in which the right hon. Baronet, (Sir William Rae) had indulged, at the conclusion of his speech, in respect to the conduct of his Majesty's Government on the occasion of the riots and disturbances which had occurred at some places, at the last general election, in Scotland; and which were certainly most disgraceful to those who were concerned in them. If he understood rightly the observations that had been made by his right hon. friend, they went to insinuate, at the least, that the King's Ministers had, by their conduct, given countenance and encouragement to those riots and disturbances. Any thing more destitute of foundation—more inconsistent with every rule of common sense, or common reason, by which the actions of men were usually guided, could scarcely be imagined, than that they, whose political existence depended on the preservation of the peace of the country, and on the success of that great measure of Reform, to which nothing but the deepest injury could be inflicted by such outrageous proceedings, should afford to them their countenance and support. He would, however, at once dismiss this topic, as wholly unworthy of consideration, and proceed to offer a few observations on the subject immediately before the House. From certain parts of the speech of his right hon. and learned friend, he was so far from dissenting, that they had his entire and perfect concurrence. He agreed with him, that by the Bill, even as it was now proposed, the counties of Scotland would not be sufficiently represented. He thought, also, that the proportion between the county and the burgh Representation would be too much deranged by the operation of this Bill. The proportion, as settled by the Treaty of Union, and which existed at the present day, was thirty to fifteen in favour of the Representation of the counties. By the Bill, as originally proposed, it was to be fixed for the future at the proportion of twenty-eight to twenty-two; a change so great, and so uncalled for, and, in his opinion, so unwarranted, by any change which had taken place in the relative situation and circumstances of those two great interests, that he was quite at a loss to conjecture on what ground or reason his Majesty's Ministers had been induced to propose it, or had been prepared to justify it to that House. He felt obliged to the noble Lord, and so would the House, for having spared him the trouble of hearing him on the motion of which he had given notice, that the number of the Representatives of the counties should not be reduced. They were now to remain at the number as settled at the Union—that is, thirty for the counties, whilst the number of the burgh Members was to be increased from fifteen to twenty-three; the proportion being thus thirty to twenty-three, instead of thirty to fifteen. Now, he considered that the number of county Members which Scotland had continued to send to that House, from the period of the Union to the present time, was quite inadequate to the actual wants and just pretensions of the landed interest of Scotland. If the burghs had increased in population and in wealth since that period, which he was willing and happy to admit, the counties had done the same; and probably in as great a degree. If the exact proportion of two to one was not to be kept up, and if a less proportion was to be given than the present to the counties in relation to the burghs, he was satisfied, that if a proportion of three to two, at least, was not given to the counties, there would be nothing like an approach to doing justice to the agricultural interest of Scotland. He begged not to be considered as objecting to the number of Members proposed to be given to the burghs. He did not ask that a smaller number should be given to them than that to which it was proposed to increase it by the present Bill; but what he expected was, that the number of the county Members should also be increased in a just and reasonable proportion to that of the Representatives of the burghs. He should think it, therefore, his duty to support any proposition, tending to that effect, which might be made to the House, in whatever quarter such proposition might originate. In respect to the general Question of Reform, as applied to Scotland, the advocates of that measure had never had the same difficulties to contend with as the friends to a Reform in the Representation of England; for it seemed to have been admitted by all parties since the beginning of this discussion, and, indeed, before, that Reform, and a large measure of Reform, was required in the Representation of Scotland, whatever might be the case with respect to the Representation of England. The system of the burgh Representation of Scotland did not meet with a single defender, either in or out of Parliament. It was given up as wholly defenceless; even they who might be supposed to have been personally interested in the perpetuation of its abuses, were among the first to denounce them, and to petition for Reform. It would be tiresome to the House, and wholly superfluous, to enter into a detail of that monstrous system which passed by the name of burgh Representation in Scotland. It was a system so totally worthless, that the words of the Lord Advocate might, at least, be justly applied to that part of the Representation of Scotland—namely, that it was so incapable of improvement, that it should be utterly rooted out, and not a rag or shred of it be left together. With respect to the county Representation, there were certainly great abuses in it, which required a large and efficient measure of Reform. He could not, however, agree with his learned friend, the Lord Advocate, that that Representation was in the hands of an insignificant oligarchy, not connected with the aristocracy or the property of the country. His (Mr. Fergusson's) objection to the county Representation was, that it was too much in the hands of the aristocracy, and particularly of the high aristocracy of the country. The superiority, or paper votes as they are called, although in some instances they might be matter of corrupt speculation among political adventurers, were generally created by the great proprietors, and distributed among their family, their connections and dependents, for the purpose of promoting their interest in the counties. Every county Member in Scotland must be aware of the injurious and even ruinous effects of that system. It was in vain that a candidate might have for him the majority of the proprietors of a county, possessed both of the property and superiority of their lands. A paper battery was erected against him, which would command his position, unless he chose to erect one of the same material, and of equal or superior force. This was done at an immense and ruinous expense; but it was absolutely necessary to be done, unless the candidate chose to abandon the field to his opponent: out of this system had grown the most monstrous and crying abuses. The Bill provided for its final but gradual extinction—it saved the life interest of those who were upon the roll of freeholders, or entitled to come upon the roll under the present system. A superiority it was intended also should still confer the right of voting, if there be a substantial interest attached to it, equal to that which would confer the right of voting in respect of property as distinguished from superiority. Here he (Mr. Fergusson) could not, however, help observing, that there might be, and were, substantial and beneficial interests attached to some superiorities, such as untaxed casualties, which could not be reduced to any fixed standard of yearly value, and which ought, perhaps, still to be considered as substantial interests sufficient to confer the right of voting in the counties of Scotland. He saw no provision to that effect in the Bill; and he admitted, that there might be difficulties in framing them, although, if it could be done, he thought it would be desirable. The grievance of the Scotch Representation was not merely, that nominal and illusory rights were represented, but that real and substantial rights were excluded from Representation. A person might have an estate of several thousand pounds a-year, or indeed to any amount, without having a single vote upon it, if he had not also the superiority. And even if he had the superiority as well as the property, the qualification was so high, that the mass of property could not be represented under the present system. The right to vote depended upon having the superiority of what was called a 40*s.* land of old extent, that is, a valuation made of the lands of Scotland, in the reign of Alexander 3rd, towards the close of the 13th century, which 40*s.* land might now be of the yearly value of 100*l.* sterling and upwards; or of lands valued in the time of Charles 2nd at 400*l.* Scots, which might now be of the yearly value of from 400*l.* to 800*l.* sterling. The vast majority of the freeholders of Scotland voted upon the latter qualification; so that it was clear, that by this system, whilst the holders of nominal and illusory interests in land were admitted to the franchise, no proprietor of the substantial and beneficial interest was admitted at all merely in right of his property; and that, even if he should be possessed as well of the superiority as the property of his lands, the qualification was so high, that all the middle classes, and a very large portion of the gentry of the county, must necessarily be excluded. That this system required reform was admitted on all hands, and even the most strenuous opposers of the present Bill admitted, that the right of voting should no longer be confined to the superiority, but that it should be extended to the beneficial owner of the land. It was less a question of principle than of degree on which the friends and enemies of this Bill differed in opinion. His right hon. and learned friend who had last spoken, seemed to disapprove, however, of extending the franchise to the owners of house property in the counties. He (Mr. Fergusson) would candidly confess, that he himself should have been a little startled by the proposition, if it had come by itself, and unaccompanied by another most important one for extending the right of voting to the tenantry of Scotland. The latter proposition had met, he believed, with pretty general approbation, and the principle of it had been specifically sanctioned by a resolution of the county which he (Mr. Fergusson) had the honour to represent. He believed that there did not exist in any country a more intelligent or a more deserving class of persons than the tenantry of Scotland; and he was one of the last who would oppose the extension to them of those political rights which were to be conceded to other classes of society. That the admission, however, of the tenantry to the elective franchise, would increase much the influence of the great landed proprietors of Scotland could not be disguised for a moment. He did not object to this influence, but he confessed he was not sorry to see a sort of counterpoise to it, in the admission of another class of the rural population, which he considered to be equally independent, and, if liable to any influence, more liable, as it appeared to him (he could speak for the counties with which he was connected) to the influence of the resident gentry, than of the high, and, generally speaking, non-resident aristocracy of the country—he meant that industrious and respectable class of persons, who were the proprietors of houses and lands in the small towns and villages in Scotland, not included in the burgh Representation. If any thing in the shape of a popular Representation, or even of a Representation of the middle classes, was at length to be given to Scotland, he did not see how it was possible to exclude from the right of voting, under proper regulations, either of the descriptions of persons to whom he had just referred. If there was any country in the world, in which, from their education and intelligence, their composed and steady and industrious habits, confidence could be placed in that class of the population, it was in Scotland. But it had been said, that the Representation of Scotland, as it stood, had answered all the purposes of a good Representation; and it had been asked by his right hon. and learned friend, what occasion could be pointed out in which the Representatives for Scotland had not done their duty. He (Mr. Fergusson) would admit, that it would be difficult to select, and to return Members to that House, more attentive to local interests, and more zealous and effective in the discharge of those particular duties, which they owed to the places for which they were returned, than the Members for Scotland. This was no small praise, for without such qualifications in a Member of Parliament, all others would be of no avail. He would go further, and say, that he believed that the business before the Committees of that House connected with the local interests of Scotland, was at least as well, if not better, attended to and conducted than the business connected with any other part of the empire. This was a tribute of justice, which was denied by no one to the Members for Scotland. But in answering the question which had been proposed by his right hon. and learned friend, he was forced to put another, and to ask, whether the duties he had enumerated, important as they were, beyond all question, were the sole duties that were required of a Representative of the people in that House, and whether there were not other duties, which the Members for Scotland could not be said to deserve the merit of having so well or so meritoriously discharged? Now he must say, and it was with regret and pain he said it, that, generally speaking, in great questions of public policy, in which the general interests of the empire were involved, and, above all, in questions where measures of necessary reform and amelioration of our institutions were proposed, the majority of the Members for Scotland have almost invariably been found in the lists of those who opposed all such measures of amelioration and reform. The same observation, he feared, must be applied to them in respect to questions of economy and retrenchment of the public expenditure. A statement had been published of thirty-six important questions of the nature of those he had referred to, in which divisions had taken place in that House in the years 1821 and 1822, and which statement shewed the proportions in which the Members for counties, and for open and close boroughs in England, as well as the Irish and Scotch Members voted, whether for or against the Ministers, on these occasions. The English Members for counties and open cities and boroughs voted against Ministers in a very large, and the Scotch Members for Ministers in a still larger majority, approaching, but not equalling, the votes of the Members for the close English boroughs on the same side. The statement was referred to in the speech of one of the hon. members for Westminster, in the debate on the motion for Parliamentary Reform, of the noble Lord, then member for Tavistock, in April, 1826.* In respect to the Scotch Members, if we turned further back, we should find their names swelling on all occasions the Ministerial majorities, and helping to perpetuate malversation and abuse. He would give a few instances. Mr. Dunning's celebrated motion respecting the influence of the Crown, in 1780, was founded on a consideration of the abuses of the public expenditure during the American war—that wasteful, disastrous, and cruel war, which, long after the public opinion had declared itself decidedly against it, was still persisted in by the Government, and sanctioned by the votes of that House, swayed by the corrupt influence of the Crown. The carrying of the motion "that the influence of the Crown had increased, was increasing, and ought to be diminished," was the first decisive blow that was struck against the Administration of Lord North. It was carried by a majority of eighteen—233 having voted for, and 215 against it.† In this division, thirty-three Members for Scotland voted. The House might be anxious to know how they did vote. He would satisfy that curiosity; twenty-seven voted against the motion, and five for it; making a majority against Mr. Dunning's motion of twenty-two of the twenty-seven Scotch Members who voted—a larger majority by four against, than the majority of the whole House by which the motion was carried. He would give another instance, a little later, in the year 1782. On the 15th of March of that year, Sir John Rous moved in substance, that in consideration that upwards of 100,000,000*l.* had been spent, and thirteen ancient colonies had been lost, and that the nation was still involved in war with three powerful nations, without a single ally, the House should declare that "they could have no further confidence in the Ministers who have the direction of public affairs."* No man could doubt that long before this the Ministers had lost the confidence of the people; but upon the division in that House, the numbers were—227 for the Motion, and 236 against it—being a majority of nine against the Motion. How, again, did the Scotch Members vote on that occasion? six for the Motion and twenty-nine against it—being a majority of Scotch Members of twenty-three against the Motion, whereas the majority of the whole House against it, including the Scotch Members, was only nine! The motion was therefore negatived by the majority of the Scotch Members, against the majority of the English Members, and against the universal voice of the nation beyond the walls of Parliament. This motion was made with a view to put an end to the American war, that cruel and unnatural war, which had been so long waged against the liberties of our fellow-subjects in America, and which, with all its wasteful and ruinous expenditure, had it depended on the votes of the Scotch Members, would probably have been continued, against the general opinion and declared voice of the nation, long beyond the period, late and tardy as it was, of its conclusion. During the whole of the American war, the names of very few of the Scotch Members were to be found in the Lists of Minorities—on a motion of Lord John Cavendish respecting the arrears of the Civil List, the minority against Ministers was 114, and in that number one Scotch Member only was to be found—George Dempster was that Member.† This was in 1777. In 1785, however, there was a minority in which the Scotch Members voted in greater numbers. It was on Mr. Pitt's motion for Parliamentary Reform—which was lost—the majority being 248, and the minority 174; of this minority nineteen were Scotch Members. This was a Ministerial minority, and Mr. Pitt and Mr. Dundas were Ministers.* He (Mr. Fergusson) was far from finding fault with the conduct of the Scotch Members on that occasion. He had only to regret, that similar instances were not more numerous, whether on the Opposition or the Ministerial side of the question. He was sorry to be obliged to refer to one remarkable occasion, and that was in very modern times, to shew how far the Representation of Scotland answered the ends of a good Representation, even of the interests of Scotland and of Scotchmen, in a question involving the just principles of civil and religious liberty. It was, he owned, with grief and shame that he referred to the votes of the Members for Scotland on the motion for the repeal of the Test and Corporation Acts. At that period a law existed in the Statute-book, whereby every person holding office, civil or military, was bound to take the sacrament of the Lord's Supper, according to the usage of the Church of England, under the penalty of being disabled from suing in any Court, being the guardian of any child, or the executor of any person; from ever holding any office, civil or military, and was moreover subject to a pecuniary penalty of 500*l.* to whomsoever should sue for the same. The members of the Church of Scotland—a Church declared by law to be a national Church as well as the Church of England, and who could not, according to the doctrine and discipline of their Church, comply with the provisions of this law, were involved in the common proscription, from which they were only saved by the degradation of an annual parliamentary pardon—a pardon for what? For the offence of serving the State, and shedding their blood in its defence, without violating their conscience, and acting contrary to the doctrine and discipline of their national Church. Well, how did the Scotch Members divide on that memorable night, when he (Mr. Fergusson) had the glory, as he considered it, to fight under the banners of the noble Lord. The motion was carried by a majority of forty-four—the Scotch Members voting thirteen to five against it! He willingly turned away from this subject, on which it was painful to him to dwell. After what he had said, it would be unnecessary for him to declare his opinion, that the system of the Representation of Scotland did not answer all the ends of a good Representation; and that the Members returned under that system did not, upon all occasions, do their duty, as had been contended by his right hon. and learned friend. Notwithstanding what he had stated, and much as he expected from the Reform of the Scotch Representation, he agreed with those who thought, that in general Scotland would continue, after the Reform, as before, to be represented by the same description of persons; but he contended, that the same Representatives would be better Representatives under a better system, and acting under another and a more constitutional responsibility. He should abstain from going into the details of the Bill on the present occasion; but he could not help expressing his concurrence with the right hon. Baronet, in all that he had said respecting the Sheriffs of Scotland, a most respectable, learned and meritorious body of men, to whom he was of opinion, that functions too much of a political character were to be given by this Bill, and to whom a subordinate, and, therefore, an unfit and unseemly part was, in his opinion, allotted for them to discharge. If there was to be an appeal on the subject of Registration, it should be from the Barrister to the Sheriff, not from the Sheriff to the Barrister. He would not longer detain the House from going into a Committee on this Bill, which, after undergoing such modification as might be consistent with its principles, and by which it might in some of its provisions be improved, he earnestly hoped might meet with the sanction of the other House of Parliament, and pass into a law.

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* Hansard's Parl. Debates, New Series, vol. xv, p. 697.

† Hansard's Parl. Hist. vol. xxi, p. 347.

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* Hansard's Parl. Hist. vol. xxii. p 1172.
† Ibid, vol. xix, p. 139.

* Hansard's Parl. Hist. vol. xxv, p. 475.

Mr. *James E. Gordon* admitted, that the Representation of Scotland was not of a popular character, but he indignantly denied that Scotland was not represented at all under the present system. He opposed the Bill. It had been said, that the Members for Scotland who were adverse to the measure were silent during the discussion. He would not hesitate to give his opinion respecting the measure. The original Representation of Scotland had been founded on property—it had been guaranteed by the Union, and could not be altered without a violation of that solemn compact. He should like to know how they could alter all the proportions of Scotch Members in the proportion of them to English Members, and the proportion of the Representatives of the landed interest, to the Representatives of the commercial and manufacturing interest, without violating the Union. The present Bill, if carried, went to deprive the heritors of their rights, and, he repeated, was a gross violation of the Act of Union. He was also of opinion, that the household voters would overwhelm the landed and superior interest—would infringe upon the vested rights of the most respectable portion of the community, and produce consequences that could not be anticipated without the utmost alarm. He must express the deepest regret that his Majesty's Ministers should have thought it advisable to introduce such a measure, which could not do otherwise than produce endless confusion. Already a feeling of discontent which threatened the most serious consequences, was generally prevalent. He wished that could be allayed, even by the rejection of the Bill, but it was now impossible to restore the former state of peace and obedience. He thought the Bill committed injustice, and made wanton changes, and he was determined to oppose it to the utmost.

Mr. *Cumming Bruce* had listened with great satisfaction to that part of the speech of the hon. member for Kirkcudbright in which he expressed an opinion, that more was yet due to the county Representation of Scotland than even in its improved and altered state this Bill proposed to do for it. Knowing the weight which must be attached by the House and by his Majesty's Government to the opinions of that hon. Member, he was induced to hope that his recommendation in this respect would be favourably considered, and, in particular, that the county of Elgin would not be left a solitary instance of injustice and disfranchisement among the arrangements of this Bill. His Majesty's Ministers had agreed to do justice to the counties of Peebles and Selkirk, which it was originally proposed to unite, and to leave them in possession of their separate Members. With what justice could it be pretended that half of its present share in the Representation should be taken from the county of Elgin, containing a population of 34,000 souls, being more than was contained by several counties to which a Member was granted, and more than double the amount contained in the restored counties of Peebles and Selkirk taken together. His Majesty's Government would feel themselves compelled to withdraw the county of Elgin from the schedule in which it had been placed, and to restore it to that right to which it was fully entitled. He did not agree with the hon. Member when he thought fit to taunt the Members for Scotland with a constant subserviency to the Government of the day. The hon. Member had cited the numbers on several important divisions to prove his assertion. He (Mr. Cumming Bruce) need but refer to one of them for the refutation of that charge; the division on Mr. Dunning's celebrated motion with regard to the power of the Crown. Was there a single person in or out of that House, who was not now fully convinced that the absurd clamour then raised about the danger to be apprehended from the increasing power of the Crown was a mere delusion, just such a one as was now prevalent about the power of the aristocracy, and that the Members for Scotland in voting against that motion, showed that they were actuated by sound and sensible views, and were above the influence of popular clamour. The hon. Member had mistaken for political subserviency the firm and consistent purpose of a great majority of the landholders of Scotland to endeavour to exclude from the exercise of power a small, ambitious, and tyrannical minority; the general line of whose politics they considered detrimental to the best interests of the country; and the time at which the hon. Member had thought fit to make this charge, was rather unhappily chosen, when, in point of fact, notwithstanding the great and universal efforts of the Government to influence the late elections, a majority of the Members for Scotland was found arrayed against it. If the gentry of Scotland were subject to the degrading influence attributed to them by the hon. Member, now was the time to show it; when political tergiversation was actually at a premium in that country, and when even the second-rate supporters of the Government were sure to be consulted, employed, aye and paid too, for their services, on some one roving useless, and unauthorized commission or other. A man had only to declare himself friendly to the measures of the Ministry, to be sure of the gratification of participating in the Government, and by some means or other of having a finger in the pie. The burghs of Scotland had been literally frightened from their propriety by the arrival in them of certain tall, mysterious and angry looking strangers, prying into the gardens of all the old women, and carefully avoiding the slightest communication with the local Magistrates; who, after all, might have been supposed to know something of the burghs over which they presided. He had received the other day, a letter from the Provost of one of the burghs, which he had the honour to represent, in which he informed him of the arrival of these important personages in his town. He stated that they held no communication with the magistrates; and concluded by asking three significant questions. "Tell me by whom they are appointed—for what purpose—and, last, not least, who pays the piper?" The answer must be by guess. The mysterious personages were self-appointed, no one could find out for what purpose, but they were paid by the easily-gulled Whig ridden people. Like the person who gave orders for a concert, and desired all the performers to be kept playing, the Whig Government were anxious to keep all these players in action whether they produced harmony or discord, and certainly they had produced an admirable Dutch concert. He would not follow the hon. Member further through his speech, in many of the views of which he entirely agreed, but should proceed to make some observations on what fell from other hon. Members in the course of the previous debate on this subject. He had wished on that occasion to state the reasons which would induce him to oppose the second reading of this Bill, because some of the chief grounds of his objection to it had either not been noticed at all, or were slightly alluded to by those who preceded him in the debate. He had been unable to procure a hearing till the House was evidently wearied with the debate, and hon. Gentlemen opposite who were accustomed to look more to the side of the House on which Gentlemen rose, than to the arguments which indicated the course they were advocating, must have thought that the opponents of this Bill had monopolized a very undue share of the time of the House on that occasion. Much of that time was occupied by three of his hon. friends, who, having opposed the English Bill in all its stages, thought it necessary to explain to the House the reasons which induced them to follow a different course with regard to the Bill for Scotland, and as their arguments were generally opposed to the details of this Bill, while their votes were given in its favour, the impression to which he had alluded, was not altogether unnatural. He would not for one moment question the purity of the motives, or the sincerity of the convictions of his hon. friends. One of them, the right hon. Baronet, the member for Honiton, had expressed his belief, that by the course he was following, he would attract to himself the animadversions of both sides of the House. He should certainly not be the individual to verify those anticipations. As the speeches of his hon. friends were for the most part favourable to his views on this question, he would not detain the House by any observations on the few points on which they differed, but make a very few observations on what fell from hon. Gentlemen on the other side of the House. He required the indulgence of the House, when presuming to address it after it had listened to a very eloquent speech of so great a master in the art of making the worse appear the better question, as the learned Lord who opened that debate. The great literary and forensic attainments of the learned Lord were well known, not only to the House, but to the country at large. No one could render a more willing homage to them than the humble individual then speaking, who deeply felt that a charge of presumption might be made against him, but a sense of duty impelled him to prove, that on a subject of vast importance, involving the question how far it was advisable to alter the constitution of Scotland, how far it was safe to enter the regions of theory in opposition to long tried and successful practice, the learned Lord had made mis-statements, though most ingenious ones, had been fairly caught in the trap of his own ingenuity, and had floated out of his depth on the torrent of his own eloquence. But they had not merely to contend with the literary ability of the learned Lord, but to struggle also against his official importance. The House was aware that the opponents of this Bill had to do with the spirit and essence of the Privy Council of Scotland, and that this dread and mysterious, and somewhat tyrannical body had, by a species of official concentration, acquired a local habitation in the person of the learned Lord. He had not had the good fortune to be in the House when the learned Lord commenced his speech. When he had come in, he had found him declaiming with much energy, and vehemence, and passion; and approaching that celebrated revolutionary climax about rags and shreds, on which he was afterwards congratulated by the hon. member for Preston. The mere energy of his declamation, the mere violence of his action, satisfied him that the learned Lord was wrong; that in a question which, above every other, required to be approached in a spirit of calmness and moderation, the learned Lord thought it necessary to rouse the feelings of the audience, and carry the fortress of reason by a sort of *coup de main* of the passions. He was not prepared for the full length of the rags and shreds; he did not certainly participate in the satisfaction experienced by the hon. member for Preston at that declaration, but partook of his surprise; and he wondered how the learned Lord should have had the hardihood, sitting, as he was, on the same bench with the right hon. Baronet, the member for Knaresborough, to have given utterance to that bold figure. Had the learned Lord forgotten, or did he imagine the House had forgotten, the beautiful and eloquent description of that right hon. Baronet, when, after declaring that no good or beneficial Constitution was of rapid growth, he compared its progress toward perfection to the growth of animals, or rather of plants, which though constant, was yet gradual and imperceptible? And could the very obvious reason of this have escaped his acuteness of perception? Did he not know, that to be useful, the institutions of a country must follow, rather than lead, the habits and wishes, and feelings of men; and that, where they overstept this rule of prudence and of wisdom, they would either be altogether inoperative, as was the case with the Constitution introduced by the English into Sicily; or they would give birth to a ruinous and fatal activity, as was the case at the beginning of the first Revolution in France. He would rather look for safety and for shelter to the broad shade of our native oak, though centuries might have rolled over the slowness of its gradual and majestic progress, than he would turn to that plant of a warmer clime, to whose rapid and wondrous shoot the learned Lord would direct his attention. This tree was alive in our climate only while the stove-heat of a strong excitement was applied to it; and, that exciting cause withdrawn, the flower and the foliage would wither, its leading shoot would droop and fade, its beautiful fruits, the glory of its Crown, would perish. Even if previously undecided, the speech of the learned Lord alone would have induced him to oppose this Bill—it went too far for safety. The learned Lord was followed by his right hon. friend, the member for Inverness-shire, the second in that triumvirate of orators of which the other side of the House had just reason to boast on that occasion. Much as he had heard of the eloquence of his right hon. friend, it never before was his good fortune to listen to him; and, deeply as he regretted the side to which he had lent the aid of his powerful talents, he might be permitted to say, that the eloquence of his right hon. friend, lighted up and glowing as it was with the warmth of a truly Scottish patriotism, exceeded even his high-raised expectations. But, though captivated by the eloquence, he could not go along with the argument. In common with the speeches of his eloquent associates, it left altogether untouched the real question before the House. It spoke of the defects of the present system of our Representation, in which all were agreed, and of the expediency of correcting them, which all would acknowledge; but he had listened in vain, to all those speeches, for the demonstration which it was incumbent on the Ministers to give, that the change proposed by this Bill was either just, or expedient, or practicable. His right hon. friend, in his vituperation of the present system, went a great deal too far—he said it was no Representation at all. Though he admitted that it was not a popular Representation, still he maintained that it was a Representation of property to a very great extent. His right hon. friend was the only county member for Scotland who did not represent fairly, and fully, and freely, the great mass of the property of these counties. He could not quarrel much even with the defects of a system which had been instrumental in returning so distinguished an ornament of this House to represent a county in Scotland. His right hon. friend argued that the system was wholly inoperative for good; because, before the period of the Union, the page of Scottish history was stained with violence and with blood. Did his right hon. friend refuse to see in it the hallowed record of national independence? Did he refuse to acknowledge that, if individual liberty be dear, the independent existence of a free and unconquered people was alike dear to it? If the annals of Scotland were the annals of violence and of blood, whom had they to thank for it?—that system of institutions under which they were enabled to bear up against the immensely preponderating power of England, or that ambitious, and grasping, and unscrupulous policy which, from the time of the Edwards and before, sought, by a constant aggression, and by keeping alive the seeds of internal discontent, to compass the unhallowed object of a nation's subjugation? He would not join in this sweeping condemnation of a system which had enabled them to treat with England at the Union on the footing of equal to equal. He would not join in the condemnation of that Parliament of the barons and freeholders of Scotland, whose last Act, as an independent Legislature, was the establishment of schools, at the expense of the landowners of Scotland, in every parish of that country; an Act which had been productive of more advantage to his country, than any Act of our united Parliament since the Union. His right hon. friend was followed by the right hon. Baronet, the member for Knaresborough, of whom he, as a Scotchman, was not only disposed, but bound, to speak in terms of unfeigned respect, because Scotland proudly pointed to him as an ornament and a boast. But when he saw the right hon. Baronet in his place, he did reckon confidently on his support. He knew, indeed, that he had been favourable to the English Reform Bill, but he knew also, that in the Bill before the House, he could point to clauses which involved injustice and disregard of the rights of individual property; and he thought that he might with confidence appeal from Philip Drunk to Philip Sober—that he might appeal from the senator to the historian—from the senator, intoxicated by seeing the party to which he had been long consistently and conscientiously attached, in the possession of power, and by the prospect of their being long secured in that possession by the operation of these Bills, to the historian, calmly reviewing the past in his closet, and detailing, with philosophical truth and precision, the testimony of history. Now he had told them, that the observance of justice was more important than the amelioration of any institution, especially where its practical results could not with much justice be complained of. He had told them, that many regulations might stand instead of one deed of rapine, and that a Legislature appointed to be the guardians of right, should try all means before they set the example of a great wrong. He had told them that Government never could render a greater service to the community than by setting, in times of excitement, the example, not merely of a just, but of an indulgent consideration of the rights of those who were obnoxious to popular indignation, and that, for the sake of such an example, much was to be borne—much even to be hazarded. He would endeavour to prove to the right hon. Baronet that such a case of sweeping injustice towards the proprietors of the superiorities of land in Scotland was involved in this Bill, and look with confidence for his powerful aid in the Committee to remedy that injustice. One word to the hon. member for the Linlithgow burghs. He should have left that hon. Member in the undisturbed enjoyment of the laurels which his eloquent abuses of all past Governments and all existing institutions must have won for him from both sides of the House, if he had not been pleased to make a direct allusion to him in the course of his speech when this subject was last before the House. The hon. Member's charge was, that, by a premature labour, he had given birth to a sort of abortion in the shape of a mistimed debate on this subject on alluding to what fell from him on the second reading of the English Reform Bill, which the hon. Member had characterized somewhat erroneously. His argument then was, that the unanimity said to prevail in favour of this measure had no real existence, and he instanced the class of the farmers in Scotland as opposed to it. This was denied from the opposite side of the House (at least so in the then imperfect state of his initiation he interpreted some of the sounds which proceeded from the opposite benches), and in support of his assertion, he stated some of the many cases of disapproval which he had heard stated by farmers of every class. The hon. Member now asserted that they were favourable to it. To this unsupported assertion he would not yield his knowledge of facts. He would meet his assertion by counter-assertion; but would support his assertion by reason and by proof. The hon. Member proved himself a zealous partisan, but it was a zeal without discretion. He disobeyed orders. The learned Lord, with his usual skill, implored the House to avoid touching the details of the measure in this stage of the discussion, and to confine themselves to the general principle. He considered that request unreasonable, because the principle was involved in the details; but the hon. Member zealous and indiscreet not only entered into the details, but proved, by entering into some which were not in the Bill at all, that he had never read it—that he did not even know his text. The hon. Member entered into the question of the self-election of Magistrates and councils in the Scotch burghs, and the consequent alleged and very possible mismanagement of their corporation funds. His hon. friend put his finger on the real sore of the burghers; he exposed their real grievances, but he exposed a grievance for which this Bill provided no remedy; he put his finger on a sore which the doctors of the Constitution did not condescend to medicate. But this was the real grievance, this was a main cause of discontent in the burghs; and no measure would give permanent satisfaction in Scotland which did not remedy this abuse. The learned Lord knew this, and he was half tempted to think that, finding what a useful ally they had in the discontent of the burghs, his Majesty's Ministers had purposely left this as a nest-egg for some future occasion. The omission was one of his reasons for opposing this Bill; but the indiscretion of the hon. Member did not stop here; he called "spirits from the vasty deep," and, at the bidding of so mighty a magician, the spirits came. The hon. Member conjured up ghosts which he imagined had been for ever laid, and who must have been very unwelcome visitors to the learned Lord—the ghosts of the election riots of Scotland. He cited them to prove the intense anxiety of the people for the success of this Bill: of course, any blameable excesses on those occasions were owing to and got up by the Anti-reformers. This charge, if not distinctly made by his hon. friend, was certainly asserted on that side of the House on former occasions; and it reminded him of the defence set up by a celebrated Irish Dean, when arraigned on a charge which even the Reformers of Scotland, headed though they might be by his hon. friend, would allow to be one involving considerable violence—the crime charged was an attempt at rape. The defence ran thus—

> "If virgins are ravished, it is their own choice ;
> Why are they so wilful to struggle with men ?
> If they would but be quiet, and submit without noise,
> Nor devil nor dean could ravish them then."

In short, give the mob their own way and all would go right — resist them, and they would riot; therefore, you are the cause of the riots. This seemed to be the logic of hon. Gentlemen opposite, and he thought himself lucky in having escaped from Scotland before the learned Lord laid hold of him as a *particeps criminis* with such ruffians as those who endeavoured to throw the Lord Provost of Edinburgh over the bridge; those very dear and gentle friends of the right hon. the Lord Advocate for Scotland. He perfectly concurred with the hon. Members opposite, that if in any part of the empire the Legislature should deem it expedient to sanction a change in the existing system of the Representation, and, leaving out of view the practical working of the system, should endeavour to remove the defects which floated so glaringly on the surface, no part of it offered them more prominently to the eye of the most superficial observer than Scotland. True it was that no other country had, in the same short space of time, made a progress in improvement so wonderfully rapid—a development so astonishingly great, of all the sources of national wealth. Having broken down every barrier of feudal oppression, she had attained to the most perfect security of persons and of property; to the fullest religious toleration; to the purest and most unsuspected administration of justice. She found herself exempt from the existence of every privileged class, except such as had been by her Legislature maintained or created for the public good; and that the entrance to that class—the path to the highest honours and proudest distinctions of the State, were, in her, open and unimpeded to all industry and all talent. Her establishment for her National Church, her establishment for the national education; her arrangement for her national poor; her provincial Courts for the cheap and speedy administration of justice; her registries of property and deeds, and many other circumstances in her domestic and social arrangements, which he would not detain the House by enumerating, had not only attracted the praise and admiration of her neighbours, but, what was infinitely more important, had secured the almost universal approval of her own population. All this was true—it was allowed on all sides—but there were defects in the system of her Representation. He was willing to approach them for the purposes of applying a remedy; but he was bound to take care lest, by a rash and ill-considered legislation, he put in jeopardy the solid advantages, the many blessings which they enjoyed. The plan now submitted to the House appeared calculated to endanger the security of them all; and, anxious as he was to remove those defects, approving of so much of the principle of this Bill as went to giving an increased Representation to great towns, he was compelled, as a whole, to oppose it. Before he would agree to the second reading of any Bill, he must be able to find in it some one clause to which he could agree. In this Bill he found none such; and the object of a safe and rational Reform would be more easily attained by bringing in an entirely new measure, than by entering on this labyrinth of error and confusion. When he looked to the circumstances in our social condition to which he had already alluded, and in which real liberty consisted, rather than in the noise and turmoil and corruption of a merely popular election, to which hon. Gentlemen opposite would seem to limit it, he could not but think that an undue importance was attached to the mere machinery by which a Representative body was brought together. He wished to amend the defects—reconcile the theory to the practice; but he turned at the same time in a spirit of deep and humble gratitude to that over-ruling and gracious Providence, which, from causes apparently so inadequate to produce them, had educed results so beneficial in favour of a moral, religious, a Protestant people. He opposed this Bill on account of its extent. The change proposed in England was sufficiently sweeping, but there was a traceable connexion between the old system and the new; the rights previously existing in England had at least prepared the people in some sort for the change. In Scotland it was a real revolution; every practice and every principle had been alike departed from, and it were vain for them to argue from the known results of the old, to the probable working of the new system. He would limit himself to the system in the counties, and would endeavour shortly to state what that system had been, by which the House would be better able to judge of the extent of the proposed change. It was the duty of every tenant *in capite* of the Crown to attend in Parliament. By the Declaratory Act of 1425 they were called freeholders of the Crown. By the Act of 1427, the small Barons and free tenants were relieved from personal attendance, provided they sent two or more wise men for each shire, except Clackmannan and Kinross, which were only required to send one each. This Act, which was not much observed, was followed in 1457 by another, which relieved freeholders under a penalty of 20*l*. of the necessity of coming to Parliament, except Barons, or unless summoned specially by the King's officer. In 1503 all the Barons and freeholders whose estates were below a certain extent, 100 marks, were relieved if they sent procurators; and this enactment was renewed and confirmed in 1587. When the right of choosing Commissioners was confined to freeholders possessed of a 40*s*. land resident within the shire, they were to meet yearly and choose their Commissioners, who were to be ready to attend Parliament when assembled; there was a slight change in 1661, which was further and finally altered in 1681, when the right was given to those who stood publicly, *i. e*. of the King infued in property or superiority, and were in actual possession of a 40*s*. land of old extent, or of lands liable in public burthens for 400*l*. of valued rent. Non-residence was no disqualification. In this long deduction, though alterations were occasionally made in the qualifications, they were all for the advantage of the freeholders; for it was reckoned a burthen for these small proprietors either to attend Parliament in person, or even to attend the Head Court to elect; and all the Acts were meant to dispense with this duty, and relieve from the fines for non-attendance, instead of being forfeitures of, or infringements on, the right of the freeholders to elect; and, since the Union, no change had been made in the qualification; and repeated transfers, and its supposed security as a substantive property, had, in fact, given a real and recognized value to that species of property which carried a right to vote in the counties. The change now proposed was a most thorough one; it not only disfranchised the freeholders by withdrawing from them, under reservation of those now on the roll, the right to elect, but it ruined counties by communicating it to the proprietors of a house and land valued at 10*l*., and to tenants, according to the theory that property in land should be represented by county Members, while the commercial and manufacturing interests were represented by the Members for the towns. Besides this, superiorities were valuable estates. Their security as an investment was never questioned, and he would confidently ask the learned Lord, were he in his place, who had doubtless been consulted in many cases where the transfer or security of such property was concerned, whether, where the transaction was a *bonâ fide* transaction, he ever insinuated a doubt of the legality of such sales. He at least, had never heard an answer to the objection that it was robbery to deprive the freeholders of a valuable inheritance without full and fair compensation—without compensation—because nothing was more simple and more easy than to fix, in this case, both the manner and amount of the compensation. The right hon. Baronet, the member for Tamworth, observed, and justly, that the question of compensation, where the disfranchised burghs were concerned, was one of extreme difficulty. In that observation he fully concurred, and it was a consideration which should have induced no small hesitation in touching rights with which it was confessedly difficult fairly to deal. But he would undertake to satisfy the House that no such difficulty stood in the way of giving to the elective franchise in the Scotch counties the fullest extension, if it was to be confined to the real interest and real proprietors of land; and at the same time affording to the holders of superiorities a full and fair compensation for that property which, to effect a national object, it might be thought fit to resume. Slavery abolitionists, who were for emancipation without compensation, pleaded that slavery was contrary to Christianity, and never could be legalized by any human law. But this could never be said of the advantages which had given a value to freehold qualifications; and he trusted that, in these boasted days of knowledge and regard for the rights of the people, the Legislature would not despise the example set them by their predecessors, at a time and on an occasion when strict justice was less to be expected than at present. In 1748 it was thought desirable to limit and infringe, for the public good, the powers and privileges of superiors of land, and to abolish that monstrous excrescence on our system of jurisprudence—the heritable jurisdictions; under which the Barons in their own Courts took cognizance of crimes committed on their own lands. But as time had legalized the exacting fees in these Courts, it never was contemplated to do them away without compensating the owners, and accordingly large sums were paid to many of them. It was wished, also, to abolish the tenures of wardholding, and to convert them into a feuholding, abolishing thereby certain species of vassallage, as hunting, casualties of marriage, and others which were held to be dangerous to the public peace. But though the country was still agitated by the recollection of the civil wars, and the Government had scarcely recovered from the alarm of the march to Derby, compensation was here also provided by the vassals to their superiors, not by the Government, but by the person benefitted, to him from whom the benefit was taken, for the abolition of these feudal rights. Why should the much more valuable privilege attached to a superiority be taken away, by its being communicated to others, without compensation? He could not but consider this as one of the most reckless parts of this ill-considered and ill-digested plan, and he was quite sure, that the natural sense of justice of the Reformers in Scotland would induce them even yet to prefer any method by which the property-rights of parties were respected. They knew that nothing was more common than for a man buying an estate there, to save his money, and exclude himself from the right of voting, by refusing to take and pay for the superiority; and they did not wish to see him get, by a side-wind of legislation, what he declined to pay for in the open market. He would mention one or two instances where great injustice would be done. It had happened that, where a purchaser declined to take the superiority, he had acquired the lands for 1,000*l.* less than was originally demanded, and the former proprietor, going again to the market, had sold the separate superiority for more than he was willing to take for it when attached to the land. Was the purchaser to be punished because he acted in conformity to the existing law? If the law was wrong, alter it, but in the spirit of justice. Again, it had happened—his right hon. friend opposite was aware of the fact—that, at a contested county election, a voter, finding himself obliged to choose between two friends, of whom one came recommended by supposed official patronage, and the other by the influence of the East-India Direction, and unwilling to offend either—both would have been offended had he voted for neither—had sold the superiority of his patrimonial estate, saved his friends, and put 1,000*l.* in his pocket. It was proposed to leave it there, and restore the right of voting to this prudent and calculating freeholder. This was less than justice to the more decided purchaser on that occasion. This should not be; and it would be quite easy to devise a method by which all this might be remedied. Let the Sheriff in each county be authorized to fix, by the verdict of a Jury, the average rate at which superiorities had sold, exclusive of feu-duties and fines for renewal, and that, before voting on a landed qualification—in such a case, it was of no consequence how low that qualification was fixed—every holder of the real property of land should be required and allowed to purchase, at the rate so fixed, the superiority of the land on which he claimed to vote. He would not, at present, pursue this subject further; but in the present measure a great injustice was involved, which, by a little consideration, it would be easy to avoid. Before going further, he would state to the House the objects he had in view in pressing this matter of compensation on its attention. In the first place, its recognition was essential to the maintenance of the security of property, the first principles of which, would be fatally shaken should these superiorities be rendered valueless by an act of legislation proceeding on mere expediency; and, in the next place, by adhering to that ancient and tried principle, that none but the vassals of the Crown should elect or be elected in the counties, which principle would be maintained by the system of compensation. He would propose to preserve the landed interest of Scotland from being laid prostrate beneath the favoured interests of the lowest class of the inhabitants. While he thus advocated the principle of compensation, he had no personal interest in superiorities, either to protect or to save. The possessor of estates under strict entail, he could only exercise one vote in the counties with which he was connected; and, in one of these counties, the proposed Bill would invest him with rights from which he was at present excluded. He was not, therefore, liable to any charge of selfishness in urging this matter. He wished also to get rid of that mischievous counteraction to the power of the 10*l.* householder, which the Bill proposed to create, by attaching votes to leases of 50*l.*; if efficient at all against the 10*l.* voters, this provision would altogether annihilate the interests of the middling proprietors in favour of the great aristocracy. He did not overstate the fact when he said, that the vast majority of that most respectable and intelligent class, the great farmers of Scotland, were opposed to the boon which it was proposed to confer on them; and this aversion was fully shared by the smaller tenants, who occupied lands of lower value than those to which it was proposed to attach this franchise. He had, on a former occasion, stated to the House the reason of their objections. The larger tenants considered it as subversive of their personal independence, destructive of the good understanding subsisting between them and their landlords, and ruinous to the best interests of agriculture, from its tendency to induce landlords to cut down the larger and more beneficial farms to the required standard. No country in a similar period had ever made the same advances in agricultural improvement as Scotland, and she was mainly indebted for them to the enterprising public spirit of her great farmers, whose capital had enabled them to hazard experiments rarely at first beneficial in a pecuniary point of view to those who ventured on them. He could not, therefore, but view with great alarm the introduction of a system calculated to annihilate them as a class. And let no one tell him that the individual interest of the proprietors would prevent such results. The system of forming these electoral squares had already commenced, and, if the mere scent of the carcass had given rise to such eagerness, what might not be expected from the real taste of the blood? It was also very possible that a proprietor who had once been disappointed in being able to command the votes of his tenants, might decline in future granting leases at all; and thus a very efficient counteraction for many of the alleged evils of the entail-laws would at once be put to hazard. The smaller farmers, again, were averse to a system which they not unnaturally considered likely to lead to their ejection as principal tenants, and to the introduction of that curse of Ireland, the system of middle-men, holding with a power of sub-let as many of these small farms as might club up to the proposed amount. Every English gentleman who had been attracted by the love of scenery, or the love of sport, to visit the mountainous districts of Scotland, knew that many of the small farms were so separated from each other, that, to be advantageously occupied, they must each be held by a separate family. The independent state of these smaller farms this Bill proposed to annihilate. They must either be degraded into the class of subtenants—and if any Gentleman had looked as closely to the operation of that system as he himself had done, he must know that they were a class subject to great hardship and oppression—or turned adrift to swell the number of labourers on the roads; and the little patches of cultivation from which they would be ejected would be allowed to run into the waste of sheep-walks. The sportsmen of the House would join him in endeavouring to avert this last consummation, when he told them that the grouse covies were always strongest and most numerous in the neighbourhood of what, in the Highlands, was called *par excellence*, "the land:" and when they considered that the happiness and independence of a numerous class was concerned, whose willing and generous hospitality they must often have experienced. He appealed to them, therefore, as philanthropists desirous of producing and perpetuating the greatest amount of happiness; and he appealed to them as Englishmen, who were not accustomed to prove themselves ungrateful for obligations received from any quarter, however humble; he entreated them to pause before they sanctioned a measure which was to annihilate this class. There was yet another serious evil which would follow this system of attaching votes to leases in Scotland. The practice of stipulating in leases for certain services of men and horses, and certain payments in kind, was yet very usual in that country. To secure the vote of the freeman he was creating, the landlord would stipulate for an excess of those services and train pageants, and the tenant would be given to understand that, as long as all went right at the elections, they would be only partially exacted. But then came the moment of excitement; a demagogue schoolmaster, or a son settled as a Writer at the nearest market-town, told them what a glorious thing it would be to shew themselves men—that a patriotic Sovereign and a united Ministry were determined to carry a great measure which would banish the exciseman, and all but put an extinguisher on rents; and that the laird, forsooth, pretended to think for himself, and oppose the Minister. The vote was given against him; the services were exacted; the Writer appealed to to find, according to promise, a flaw in the missive, failed to satisfy the Sheriff that a mutual contract was binding only on one of the parties, and for the remainder of the nineteen years, seeds of discord and distrust were sown, springing up into acts of oppression and resistance, and ripening into the bitter fruits of future discontent, and the demand for further innovation. And this state of things they would substitute for that general feeling of mutual kindliness and goodwill, which, without fear of contradiction, he would aver to be almost universal between the landlords and tenants of Scotland. And why was this mischievous enactment to be pressed on them? Who called for it? What solitary petition from what solitary tenant had been laid on the Table of that House, to claim for the signer the preeminence in folly of assenting to the proposals of his Majesty's Government in this respect? The tenants were to a man opposed to it; but had the landlords called for it? The petitions presented to the House from an overwhelming majority of them sufficiently answered in the negative; they thought not of it with tolerance till this tinkering legislation threatened to overpower them with the votes of the 10*l.* householder—a class who had scarcely one single secondary and surface interest in common with the landlord and the farmer; secondary, because their real interests were and must be essentially the same; but the reason of the unity lay deeper than in seasons of excitement they either would or could stop to examine. Therefore this Bill would introduce a bad and vicious county qualification in the first instance, and then Ministers were obliged to counteract this evil of their own creation by another almost as objectionable. This was what he called a tinkering Legislature. He could have sworn it was the fancy of a lawyer, because it cut out intermediate work for them; but it must have been the invention of a Writer, and not of an advocate, for advocates were too nearly connected with the land, and too high-minded and too intelligent to have originated any such mischievous absurdity. It was the saying of a distinguished man, that he had seen various systems of government — monarchies, aristocracies, democracies, mixed forms—but that Scotland was the only instance of a writerocracy he had ever met with. He implored the House to save them from the strengthened and extended influence which by this Bill would be given to a class of persons already too powerful. The theory, as well as the practice of the Constitution, required that the county Members should represent the landed interest, while the commercial and manufacturing interests should find their Representatives in the burgh Members. If, then, it was thought right to invest every inhabitant of a 10*l.* house in the numerous villages with the elective franchise, the theory and practice of the Constitution required that they should have voted with the towns. The House should know that the occupiers of these houses were in no respect, as in England, under the influence of the proprietors of the soil; because the houses were not, as here, built on leases terminable at short periods, but either on perpetual feus, or for a very long term, say ninety-nine years; and could this *ex post facto* injustice have been foreseen, the great majority of these feus never would have been granted, because proprietors rarely would have consented to raising up a power against themselves, without retaining some means of influencing its action, or specifying some period at which they might reasonably hope to resume their rights. Withdrawn as they thus were, by the use and practice of Scotland, from any influence of their landlords, they should, if included among the voters at all, have been included among those of the towns. But he denied that it was necessary or expedient that they should share in the direct Representation at all, because they did, in fact, consist of the same class of persons as the lower rate of voters in the burghs; and it was neither necessary for the protection of their interests, or the elevation of their characters, or the securing of their rights, or the efficient formation of this House, that all of any class should be called to contribute directly to its formation. That a greater number of them should be called to contribute to it than were at present called, he readily admitted. There were several important and thriving towns, such as Falkirk, and Alloa, and Peterhead, which he desired to see included in the districts of the burghs, to replace those larger cities which he should gladly see invested with the right of a direct and separate Representation; and there were many whose claims, to say the least of them, were preferable to those of Gateshead. Perth had been already considered; but there were other important towns well entitled to consideration,—of these he would mention Inverness, the capital of the Highlands, the only town in the largest county, save one, in Britain, the centre of a great district, rising into increasing importance as the great port of the Caledonian canal, and containing a population of from 12,000 to 14,000 souls; and the House should bear in mind, that this amount of population had a much greater relative value in an extensive and thinly-peopled district, than in the more densely-peopled manufacturing counties of England. He should wish to see a greater number of Scottish towns included in the districts, and a larger proportion of the lower classes of residents in towns admitted to the enjoyments of the elective franchise. Had he been called on to create a new system of Representation for Scotland, he should have included a much larger number of her thriving, though not very populous towns, in the districts of burghs, and he should have adopted that variety in the elective franchise which had worked with such advantage in England. Instead of that uniform 10*l.* qualification, he would have given to some of the new burghs an almost universal suffrage; he would have made them, in short, potwallopers. The 10*l.* qualification was a sort of two-edged sword; it presented all the disadvantages of universal suffrage against property, and all the injustice of a mere property qualification against the mass of the population below it. It proceeded on this great fallacy in the first instance—that legislation was conversant with the interests of property alone. Was it not conversant with other and as important interests? Were there not life, and liberty, and the interests of religion common to all, and dearer to the Christian than life itself? When at the poll, one vote was as good as another; and as the mass of votes called to protect the three last-named interests would, on a principle of universal suffrage, overpower the votes of those interested to preserve also the additional interests of property, so he would only admit such a just proportion of the first as might furnish a just protection to the rights of life, and liberty, and religion. The 10*l.* qualification excluded them, at least in theory, altogether. By the admission of a much greater number of the less considerable towns to the districts of burghs, and on a variety of elective franchise, they might have tried a great experiment on a safe scale. But what he contended was, that by spreading that elective franchise over every village and hamlet of the country, they would merely spread a spirit of electioneering. They would substitute for the useful and advantageous pursuits of steady industry, the useless fascinations of political importance; and, for the quiet sentiments of a contented patriotism, the heart-burning and the irritation of the spirit of party. He would not trespass on the Committee by entering, at present, on the consideration of the Scottish burgh Representation. The present system was radically bad, and utterly indefensible; and it was the more easily ameliorated, because they had but to revert to their original constitution, and because no question of compensation for any abstracted or assumed rights had there to be considered. The change proposed, however, in the Bill before the House, while it did away with that most objectionable system of the self-election of the magistrates and council, involved the virtual disfranchisement of all the smaller burghs; and that he should certainly, as instructed by his constituents, oppose. But a more fitting time would offer itself for his doing so when the Bill went to a Committee. Neither would he detain the House by entering into the consideration of the proposed union of counties; it might be sufficient to state that, in every instance, they were themselves opposed to it. And again, he must, in particular, call the attention of the Government to the case of crying injustice, still, as it would seem, reserved for the county of Elgin. Whether his Majesty's Government might consider any of the suggestions he had taken the liberty of making as deserving of their consideration — whether they might not think it desirable to make some concessions to the almost universal declaration of the landed proprietors of Scotland against this Bill, he knew not; but an adherence to the Bill as it stood, in opposition to such declaration, would be poorly justified by telling the House that the urgent demands of the people for Reform left neither the time nor the power necessary for considering what that Reform should be; and the people of Scotland would not consider this a sufficient justification for their having consigned the Treaty of Union, both in its letter and its spirit, to that receptacle of old almanacs in Downing-street, to which, before introducing these Bills for Reform, they appeared to have, for a time, consigned all the lessons of experience and all the instructions of history. One, and only one, more reason he would state, which operated strongly in determining him to oppose this Bill. He could not but consider it as part and parcel of that greater measure, which, having received the sanction of a majority of that House, had been sent up to the other House with such loud and triumphant acclamation. He opposed that measure in every one of its stages. He would not call it revolutionary, but he would say that it erected a platform on which might be placed that engine which might batter to the ground the venerable fabric of the Constitution. He had heard that fabric compared to a stately and well-proportioned column, which, founded on the rock, resisted alike the force of tempest and of time; the rock on which it was founded being the affections of the people; its base, the people themselves; its well-proportioned shaft, a high-minded, an upright, and independent aristocracy; its capital, a kingly Crown. He feared lest, by the operation of this Bill, they might render the pillar of the desert a more meet comparison—its base, the unproductive and ever-moving sand; its shaft, the same worthless material raised into undue elevation; its capital, if indeed, it had one, that same barren sand, borne up by the struggle of contending atoms to a still more unnatural height, till, dissipated and scattered through the dark fields of the loaded air, it was again precipitated and cast down to all the lowness of its original insignificance. These Bills would never pass; with something of that second-sight which still lingered among his native hills, he predicted that it would never become a law. The Peers of England would do their duty. To their more impartial and less-excited tribunal he committed it; and, confident of the result, he would exclaim, "May God prosper the right."

Sir *Michael Shaw Stewart* said, although he very much dissented from the conclusion to which the hon. Gentleman who had just sat down had come, with respect to the operation of this Bill, still he should not presume to occupy the time of the House on this occasion, by attempting to follow the hon. Gentleman through his observations, which, by the way, almost entirely related to the details of the measure, because he trusted that the House would rest its opinion upon the great leading principle of this Bill, upon the observations of the learned Lord Advocate, and upon his own deliberate conclusion; and the inferior arguments which had been advanced, either by his hon. friend, or by other hon. Gentlemen, had been set at rest by his noble friend, the Chancellor of the Exchequer, and the noble Lord, the Paymaster of his Majesty's Forces. A further opportunity, the House would recollect, would be afforded for the consideration of the details of this measure. He would say a very few words in reference to the great importance of this measure, not only as to that part of the kingdom of which he had the honour to be a Representative, but to the country at large. He should give his support to this measure, reserving to himself the full privilege of making any observations, or of supporting any amendments in its details in the course of its progress through the Committee, which might seem to him to be beneficial; and he supported this measure, not only in conformity with the almost unanimous feeling in its favour which existed throughout that part of Scotland with which he was most conversant, but also from feeling as he did that the present system of popular Representation in Scotland was utterly inadequate. He could not but feel, whatever the probable effects of this Bill might be in the eyes of his hon. friend, that it would be but an act of common justice to Scotland. It was almost ridiculous to compare the Scotland of 1706, to the Scotland of 1831, on account of the immense increase which had taken place in its population, and in its national prosperity: the population of Scotland at the time of the Union did not exceed

1,200,000; it was now upwards of 2,000,000; her annual rent, which was then somewhat less than 60,000*l.*, was now 250,000*l.*; and yet, with a population exceeding 2,000,000, and with a great variety of wealthy and important interests to be represented, the number of qualified electors did not exceed 145. It was needless to make one single remark on this state of things; these were defects in the Representation of Scotland which must at once strike any one who was acquainted with the facts. It was now quite obvious, whatever might be the opinion of hon. Members, that the system which existed in Scotland was one of great injustice, and that it was one which could be no longer upheld. He would state, whatever unpopularity the assertion might bring upon himself, that he supported this measure, not as a step to any ulterior proceedings, but as a final measure—final for the present day and generation. There were some who had given this measure a sort of sullen support, because they thought it opened the way to ulterior changes. If such were their intention, he should hereafter resist any such attempt, in the same manner as he would now support this important change. This measure he hoped his Majesty's Ministers would make a final one. Attempts might hereafter be made to urge them forward; but he trusted that here they would take their constitutional stand. They had adopted a just and liberal measure, and one which would be conducive to the interests of the country; and, having done so, they ought not to be induced to proceed further. He would simply add, that he should go into Committee on this Bill with a most sincere desire to do that which, under the peculiar circumstances of the case, he considered essential for the happiness, peace, and welfare of the country.

Mr. *Hunt* said, as reference had been made to some observations of his the other night, relative to the Lord Advocate's speech, and as great misrepresentation had gone forth to the public, he was desirous of saying one word in explanation. On that occasion he congratulated the learned Lord Advocate on his becoming so sincere a Radical. He perfectly concurred in all that the noble Lord said on that occasion: the only thing he complained of was, that he had not dealt quite fairly with those advocates of his, during the election in Scotland. Now, how was this stated to the public by that oracle of the Whig Administration—*The Times* newspaper? Why it told one of the most naked—one of the most barefaced and premeditated falsehoods that ever even that false paper gave utterance to—"Mr. Hunt found fault with the Lord Advocate's speech as being too Radical." This was a most barefaced falsehood.

Mr. *Walter Campbell* said, he was most sorry to hear the hon. Gentleman who spoke last but two make an attack upon the learned Lord Advocate of Scotland in his absence; and as that learned Lord was not in his place, he should take the liberty, in the first place, of answering an observation of the hon. Gentleman's, with respect to the number of Members which were given to Scotland at the time of the Union. The circumstances of that country had undergone as complete a change since that period as could well be conceived. Scotland was then in a state of the greatest poverty: so much so, indeed, that her own Representatives did not pay their own expenses, but they were actually paid by those who sent them to the House. In those days an hon. Gentleman could not throw himself into a coach, and in eight and forty hours be in that House, or in Scotland, as the case might be. Gentlemen in those days either rode on horseback, or, if they used a coach at all, they thrust themselves into a huge, clumsy, leathern conveyance, which reached London in about six weeks. No wonder, then, that the boroughs or towns were not very anxious to sustain the expense of sending Members to Parliament: this, no doubt, was one of the reasons why the numbers were so small. They had now obtained for their large towns that which they desired; and so far from the increase being too great, it was too small when compared with the circumstances of the country. An observation fell from the hon. Member relative to the abolition of Scotch jurisdiction, which was a point of very great importance. If the hon. Member had recollected the enormous benefit which the country derived from putting down those jurisdictions, and the various circumstances attending that proceeding, he would not have considered the course which was now about to be pursued so very unjust. It would not be supposed that he would speak with disrespect of any individuals, but every authority on the subject to which he had referred coincided in his opinion of the necessity of abolishing those jurisdictions. It had been already observed, that no country had increased in prosperity with such amazing rapidity as Scotland; and if at the time of the Union the Government of that day had had the same inducement for increasing the Representation of Scotland as that which now presented itself, instead of Scotland treading fast on the heels of this country, she would have far surpassed it. This was not an exaggerated caricature, but a true picture. The hon. Member had talked about compensation. On the occasion to which he had adverted, many individuals did not receive any. In one instance, in particular, in which an individual in a very high station, a Judge, never would receive any compensation. He trusted that at this period no person, however humble, would consent to receive any. Having made these few remarks, in answer to the hon. Gentleman, he would only say, as far as his support went, this measure should receive it.

Mr. *Cumming Bruce* hoped, that what had fallen from the hon. member for Ayrshire—whose paternal ancestor, by the bye, received 40,000*l*. for the loss of his jurisdiction—would not be taken up in such a shape as to induce that highly-respectable and talented individual, the Lord Advocate, to suppose that he made any observations in the slightest degree disrespectful to him, in his absence.

Mr. *Pringle* regretted very much the absence of the Lord Advocate and the indisposition which was the cause of that absence; but, in taking part in this discussion, he should not be precluded from following the example of his hon. friend, in noticing the arguments of the learned Lord; and the more especially as his speech was calculated to make an impression upon the House—and, on that account, ought not to be passed by. In listening to that speech with the pleasure generally derived from his eloquence, he had heard, with considerable uneasiness, the description of the present state of the county constituency of Scotland, knowing that the picture which the learned Lord drew, was calculated to convey to those who heard it—an impression very dissimilar from the real state of that constituency. On a former evening, the right hon. member for Tamworth quoted the Trial by Jury, to illustrate the discrepancy often found in our institutions, betwixt theory and practice; and he asked, if a foreigner coming into this country, unacquainted with our customs and business, would not, on hearing a Jury trial described, conclude that it was a very absurd institution; and yet, the right hon. Gentleman proved that the foreigner would form a false and inadequate conception of the practical working of a valuable institution. So it was with the system of the elective franchise in Scotland: it might have its defects, and be liable to objections; but, in practice, it worked in a very different manner from that described by the Lord Advocate. The learned Lord represented to the House, that the constituency of Scotland was not connected with the landed property, and possessed the power of returning Members to Parliament, to the utter exclusion of the influence of landed property. Any one acquainted with the constituency of Scotland, must be aware that it does not consist, as the learned Lord stated,of persons unconnected with the landed property of the country. They might not, in all cases, represent the local interests of the place where they vote, but, as a body, they must be regarded as representing the interests of the country generally. In almost every county, the voters, if not actually possessed of estates, were generally the near connexions of proprietors. Nothing, therefore, could be more exaggerated than the case supposed by the learned Lord, of a body of strangers acquiring a majority of superiority votes in a county, and electing the Member to the exclusion of the real owners of the land. The fact was, that unless the holder of a mere vote, without any more substantial interest, be either resident in the county, or peculiarly interested in it, he never cares long to retain a property which is so unproductive, so troublesome, and so expensive; and the case figured by the learned Lord, not only never had occurred, but nothing at all approaching to it was ever likely to occur. In a few counties, from particular circumstances, the alienation of a portion of the constituency from the land was greater than in others, but that was not a general case. In the county which he represented there was not a single freeholder, on a roll of at least fifty, who was not either the proprietor of a considerable estate in the county, or the son or brother of a proprietor. But, in Scotland, the complaint against the votes on bare superiorities had never been, that they were the means of bringing in a set of strangers on the county, to the exclusion of the real landholders; but, on the contrary, that they were calculated to extend inordinately, the power of a few great proprietors. But this complaint, though well founded to a certain extent, was not entitled to so much weight as would, at first sight, appear. The evil had its limits; for these votes were all localized on certain properties, at a high qualification, and they were made at great expense and sacrifice. Besides, the system had an adjusting principle, which frequently corrected its deficiencies. Of this fact, several examples might be mentioned, and, particularly, some of the cases specially referred to by the learned Lord. He had brought forward, most prominently, the counties of Argyle and Lanark as examples of an unusual number of mere superiority voters, but had he stated the circumstances which had occasioned so great an increase of such votes in these counties as had recently taken place in them, he would have afforded a very material explanation to the House. The case of Lanarkshire was one of peculiar importance, as illustrative of the working of this system. In that county, owing to various causes, violent contests had frequently taken place. The principal cause, however, was this—a nobleman of great wealth, possessing extensive estates in that county, was ambitious of holding the chief influence in returning the Member to Parliament; but bringing forward a candidate who was not popular with the electors, he found it necessary, in order to carry his point, to create a vast number of these superiority voters. This, however, had the effect of rousing the independent spirit of the resident country gentlemen; and these, in order to resist what they considered an unconstitutional interference on the part of a Peer with their rights and privileges, combined to split the votes on their estates, and thus succeeded in returning his hon. friend, who now represented the county; and who, coming forward on the independent interest, was opposed to that of the noble Duke he had alluded to. But his election was brought about, not by the mere power of superiority votes, for he had among his supporters a majority of the real proprietors of the land. This, then, was the reason why the proportion of such votes was so unusually great in Lanarkshire. But, even in this instance, where the system complained of prevailed to the greatest extent, it was obvious that the influence of the principal landholders was not excluded. Quite the contrary: the effect of it really was, to give, in a limited degree, a greater influence to the larger proprietors than was possessed by the smaller—which influence, without it, they could not have. He had to complain of the unfair representations of the learned Lord, when he brought forward an election in the county of Bute, and gave it as an illustration of the county elections of Scotland. He had selected a remote county, the smallest in the kingdom, belonging, almost entirely, in property, to a single nobleman; and he had taken the occasion of an uncontested election. He might just as well have quoted an election at Gatton as a specimen of an election at Southwark or Guildford, or any other borough in the county of Surrey. Some of the observations made by the learned Lord on the national character of the Scottish people were certainly not very complimentary, and not altogether just or fair. Perhaps they might not be very close to the present argument, and it might appear to be digressing from it, were he to follow him through them. But if he ventured to do so, he hoped to meet with the indulgence of the House; for, as a Scotchman, he could not allow the national character of his countrymen to be unfairly dealt with, and not attempt to say something in reply. The learned Lord represented the general character of the Scotch as that of a people who were indifferent to civil rights, and, as a proof of his proposition, he adduced the fact, that England had achieved the establishment of many of her free institutions long before the union of the two kingdoms, prior to which period Scotland had none. When he stated this, he should have accompanied it with a qualification. He should have stated the circumstances of Scotland at the time; and when he asserted that its inhabitants were indifferent to civil rights, compared with the people of England, he should have assigned the reasons for the fact, he should have pointed out this—that the history of Scotland was not so far advanced. In every nation, there was, first, a struggle for independence; next, for the establishment of a strong and lasting form of government. It was not till these were obtained that any thing in the shape of civil rights could be settled. Till the time of the Union of the Crowns, Scotland was more or less engaged in a struggle to establish her independence; and the frequent minorities of her Sovereigns prevented her from ever enjoying a strong Government. After that Union, when she had no longer to struggle for national independence, she manifested no indifference towards civil rights, nor was she backward in maintaining them. It was well known, that, from the Union of the Crowns to the Union of the Kingdoms, Scotland was engaged in a fierce and sanguinary struggle; "but then," said the learned Lord, "that was not a struggle for civil liberty: it was of quite a different character—it was for religion; and he would admit, that for their religion, the Scottish people struggled to the death." When the learned Lord admitted this, he had admitted everything. He would ask, what was the great and primary object that stimulated resistance in England, and kept alive the spirit of it there? Was it not religious zeal. They did not hunt an abstract but unreal phantom of civil liberty, such as caused the spirit of disturbance in France, which had now lasted for forty years, and where, as yet, the object was unattained, and perhaps ever would be. It was religious zeal that gave life and energy to the struggles in England; it was this that inspired the English people with fortitude to meet danger in the field, and death upon the scaffold. Their zeal might frequently be blind and misdirected; their religion might be clouded by error and deformed by fanaticism; but yet, defective and fanatical as it was, it was still the main-spring of all their actions; and in this lay the prominent distinction betwixt the character of the struggles in England and those in France. The same spirit might be traced through every stage of the civil wars, but it shone forth with peculiar lustre at the Revolution. Had James 2nd endeavoured merely to subvert the free institutions of his country, he might possibly have succeeded; and, indeed, there were many of them dormant during the reign of his predecessor. But it was his zeal for the Roman Catholic religion which cost him his Crown. This was the weight that pulled him down. Had he not laboured to establish Popery within these realms, he might have sat upon the Throne of England to his dying day. Every one who was intimately acquainted with the real character of our national struggles, must be aware of this fact—that the chief and primary objects aimed at, was, first, the establishment of liberty of conscience, and then the predominance of the true Protestant religion. Civil rights were sought for, merely as the means of attaining and securing these; and it pleased God, when he blessed the efforts of the nation for the attainment of the one, to add to it the other also. In Scotland, then, the character of the national struggles was in every respect similar. During the dark and dismal period which there preceded the Revolution, the national energies did seem quite absorbed in the cause of religion. But when the nation attained their favourite object, did they make no advance in maturing their civil rights? Did the Convention of Estates, when they stipulated for the establishment of Presbytery, secure for their country nothing else? It was a libel upon them to suppose that they were negligent of these. To say nothing of other improvements, he might remind the House of the step gained by the Scottish Parliament in the removal of the institution of the Lords of the Articles—that incubus upon all their deliberations, which utterly precluded and shut them out from the privilege of discussion. The right hon. member for Knaresborough had stated, that immediately previous to the union of the kingdoms, the Parliament of Scotland was constituted very nearly as it was at present. He was surprised that this material difference should have escaped that right hon. Gentleman's accurate historical knowledge—that in the Scotch Parliament the Peers and Commons sat in the same Chamber. While that was the case, how was it possible for the people to maintain their rights, or for the deliberations of their Representatives to be free? If Scotland, therefore, in spite of her struggles for freedom, did not make the same progress that England did, it was not owing to any defect in the natural character of her inhabitants, or to their want of zeal for liberty, and still less to her Representatives in Parliament, who were scarcely distinguished, then, as a separate body. And again, from the time of the Union, down to 1745, the nation might still be said to have been engaged in a struggle for the succession to the Crown. The country was divided betwixt the adherents of the House of Hanover and those of the House of Stuart. Scotland was looked upon as the stronghold of Jacobitism; and as such the two first Monarchs of the Brunswick race treated it with neglect, if not with oppression. He was somewhat surprised to hear the hon. member for Argyle allude to some of the Courts of that period, in which persons of his name bore rather a conspicuous part; for he thought that the remembrance of these had better have been buried in oblivion. To such oppressions the Scottish nation did not submit with patience. But their resistance was exhibited in the manner which was, perhaps, the most natural, a series of attempts to bring back the exiled family, from whom they expected more grace and favour. The hopes of the Stuarts were extinguished in 1745, after which Scotland was tranquil, and her patriots were more free to use their exertions in behalf of their country. From that time the Scotch Members had done their duty in that House. Vague complaints in respect to their assiduity and effectiveness were common enough amongst those who knew little of the toil they underwent, and the sacrifices they frequently made. But they who knew best the extent of their exertions were ever ready to do them justice. The hon. member for Kirkcudbright admitted their assiduity, and their fitness for business, but quarrelled with their lack of independence. "I should like," he said, "to see them more independent:"—independent of whom?—of the King's Government? His hon. friend, the member for Inverness, had given the best answer to this complaint. "Look," he said, "to the present roll of Scotch Members, and you will find the full half of them habitually opposed to the present Ministry." Did this argue any deficiency of independence? So had it been, at all times, more or less. In fact, they followed the feelings of the mass of men of property in Scotland. If, during the late war, a majority of them supported the Administration of Mr. Pitt and his successors, they did nothing more than act in unison with the well-known sentiments of, at least, the landholders of Scotland. In England there was a corresponding feeling, and they would find, that the divisions amongst the English county Members were in pretty nearly the same proportion as in Scotland. The hon. member for Kirkcudbright, repeating the same complaint, had run over a number of divisions of that House, from a tolerably remote period, by which it appeared that the Scotch Members, with a few exceptions, supported the Minister of the day. But the cases he had quoted were all nearly of the same character. They were not the usual divisions betwixt the court and country parties, but questions in which the principles of government were more or less involved; and the Scotch Members were found strongest on the conservative side. This was just as might have been expected, without questioning their independence. They represented, as had always been admitted, property, rather than numbers; and therefore they were not readily induced to countenance speculation or change. The complaint, then, of their not being sufficiently independent of the Government of the day was not well founded. But there was another independence—independence of their constituents—which surely the honorable Member could not mean. But this reminded him of an observation of the noble Lord, the Chancellor of the Exchequer, upon what fell from his right hon. friend, the member for Perthshire. When that right hon. Gentleman talked of his being an independent Member, the noble Lord said, "Yes, he may be an independent Member, but I should like to see him more dependent; I should like to see him have constituents to depend upon." He would not suppose that the noble Lord could intend to misrepresent the meaning of his right hon. friend, but he seemed greatly to have misapprehended it. The right hon. Gentleman never could have used the term in the sense taken up by the noble Lord, seeing that he represented the largest and most important county of Scotland, with the largest roll of freeholders, and was, therefore, sent to that House by an independent, wealthy, a superior, and a formidable body of constituents. What he understood him to mean was this: that the freeholders of Perthshire, approving of his political opinions, but placing full confidence, as they well might, in his experience as a Statesman, and his wisdom in deliberation, had left him free and independent in his particular votes; and in this, their constitutional conduct, they presented an edifying contrast to the conduct of some more numerous constituencies, which ought never to be placed on a par with them in point of wisdom and intelligence. Almost all the Gentlemen on the opposite side seemed to have assumed, that popular elections were a positive blessing to those places by which they were already possessed, and one which should be urgently demanded by those which had them not. By popular elections, he meant elections among a numerous constituency, in great towns and populous places, consisting chiefly of the lower orders, or such classes as were to be introduced by the clause in this Bill conferring the franchise on the 10*l.* householders. To doubt such a proposition in the present times might, perhaps, appear bold and unfashionable. None was more ready to admit than himself the advantage of a considerable infusion of popularity into the representative body. It was this which conferred on the British Parliament its varied character, and enabled it to act in unison and harmony with the various feelings of all classes of the people; but this might be the case, and yet the peace and prosperity of the places where such elections were carried on might not be promoted by such elections. Had the learned Lord ever paused to consider what would be the effect of this popular mode of election in a moral point of view? All the uproar, riot, dissipation, corruption, and confusion—perhaps, in some instances, the bloodshed—which might result from it, would not, in his opinion, be attended with any advantage equal to compensate for the mischiefs to which it would give rise. In Edinburgh or Glasgow, for example, where such scenes were as yet happily unknown, there was now to be a constituency of about 12,000 voters, most of whom belonged to a low grade of society; and that man undertook a very fearful responsibility in a moral and Christian point of view, who introduced a measure conferring political power on such a body, and introducing among them, for the first time, such scenes as he had alluded to. Very opprobrious epithets had been applied, both in the House and elsewhere, and by persons who ought to have been more guarded and circumspect in their language, to the constituency of Scotland and its representative body. In the slang of the day, and in not very good taste, its boroughs had been denominated "the rotten boroughs," and its counties "the still more rotten counties of Scotland." These were indefinite terms, and might amount to very effective declamation; but they were nothing more than mere general assertions and could only be met by general assertions. He asserted that they were neither rotten boroughs nor rotten counties, in the offensive sense in which the term "rotten" was used. When the right hon. member for Knaresborough, and the noble Lord the Chancellor of the Exchequer, told them that Scotland was not, nor ever had been, represented, that assertion was mere declamation. There were but three counties in Scotland, or four at most, where the property of individuals was so predominant as to render them nomination counties. One of these, the county of Nairne, was represented for a considerable time by the right hon. member for Knaresborough himself. If he, therefore, deduced his inference, regarding the character of the Scottish constituency from his personal experience, he might be excused from making the observation. But what could be said for another right hon. Gentleman, whom he heard repeat the obnoxious assertion, in terms still stronger—and that, too, in a speech in which he was recommending moderation in debate? When he heard the right hon. President of the Board of Control join in this kind of declamation, he felt that rising within him, which almost tempted him to exclaim "*Et tu, Brute!*" When he reflected how long he (the right hon. President of the Board of Control) had been returned to that House by the independent freeholders of the large county of Inverness—when he thought of the many votes which, as their Member, he had given in support of that conservative cause to which he was now opposed—when he remembered his intimate political connection with those Statesmen who taught them to value and appreciate as they deserved their national institutions as they were now constituted, he was astonished, and could hardly believe that he had heard him correctly. In directing their attention to the existing Representation of Scotland, they must distinguish betwixt the boroughs and the counties. The present system of royal boroughs he had never admired. The want of popular election was not its prominent defect, for in many of the boroughs the annual election of a portion of the Town Council rendered them no strangers to popular elections, and to all the riot and confusion attendant upon them. But, though perfectly alive to the defects of the system, he had always found it very difficult to devise a remedy. No plan of improvement that had ever yet been seriously proposed had altogether met with his approval; and he was not at all prepared to admit, that the provisions of this Bill afforded an adequate remedy. It retained many of the ancient evils of the system, and introduced some new ones peculiar to itself. But he would reserve his observations upon these details for another opportunity, if such should ever be afforded to them. As the Representation of the counties had been chiefly spoken of, it was to that he would now advert; and he must begin by remarking, that the present system was essentially a Representation of the landed interests of Scotland. The number of the voters might not be numerous, but they were in all cases highly respectable and intelligent. Indeed, there was not, in the whole British empire, a more independent and incorruptible body of electors than the county freeholders of Scotland. That the present system might be greatly extended; that its basis might be widened; that it might be brought down to include a less opulent, but still an independent class of proprietors; and that it might be made to embrace all the landed property in the kingdom, by whatever tenure it might be held; he was prepared to admit. The practical advantages of such an extension might be problematical, and had often been exaggerated; but he would not be the person to resist it. He agreed with the hon. and learned member for Kirkcudbright, that, so long as landed property was the basis, nearly the same Members would be returned as at present, at least, the result ought to be nearly the same; in any county in Scotland the Representative was rarely any other than the gentleman who, from rank, fortune, or character, ought to be the Member. There it would scarcely be possible for a stranger — unconnected with the landed property — to be brought in, as they had lately seen in some large English counties. The elections would be undoubtedly more expensive, and that would be an injury, seeing that, at present, they cost comparatively little; but, as the result would be nearly the same, he would not quarrel with the new scheme on that account. But his chief objection to the Bill was the same as had been so ably urged by hon. Members who had preceded him on that side—its effect on the influence of the country gentlemen of Scotland. To that influence it would prove ruinous, and it seemed as if it were prepared for the very express purpose of overwhelming them. At present, the returns of most counties were essentially in the hand of the country gentlemen—the resident proprietors of moderate fortune — the very men in whom the noble Lord, the Chancellor of the Exchequer, in arguing some parts of the English Bill, declared he wished to see it invested. Hon. Members not intimately acquainted with the state of property in Scotland, and the distribution of capital throughout that country, could not easily estimate the operation of the Bill in this respect. It might seem paradoxical to say that the Bill was both aristocratical and democratical in its operation in the Scotch counties, and the right hon. the President of the Board of Control had ridiculed this idea; yet every one well acquainted with the state of property in Scotland saw at once that this must be the case. It was occasioned by letting in as voters, on the one hand, the 10*l.* house proprietors; and the tenantry on the other. Wherever the towns and villages prevailed, the elections would be highly democratic; and where there were few of these, and the estates of a single nobleman were extensive—as was usually the case in such situations—the direct power would be transferred to that nobleman. In all cases it would be a struggle betwixt the few great proprietors and the feuars of the towns; and these two classes would divide all the power, to the exclusion of the country gentlemen of moderate fortune. As the law stood at present, the undue influence of either of these was guarded against with extreme jealousy. The noblemen who had large estates, had hitherto been generally prevented by their entails from creating superiority votes; and even when they had the power to do so, that power was of limited extent. Besides this, the eldest sons of Peers were excluded from sitting in Parliament among the Scotch Representatives; so that the influence of Peers was the most legitimate of all influence—that of extensive property, in an indirect shape, among men of moderate but independent fortunes. Indeed, it was impossible to conceive a system where the power was more completely invested in the independent body of country gentlemen. Now it was to be transferred by this Bill, in some few cases, to a few affluent noblemen; but in by far the greatest number of cases, to the inhabitants of the country towns. But to what class of all her inhabitants was Scotland so deeply indebted as to her country gentlemen? Travel where you would through the length or breadth of the kingdom; survey on either side the fair face of the country, and every where the eye would be met with the evidences of the public spirit, the patriotism, and the liberality of the countrygentlemen. These would be seen in the public works, the roads and bridges, the new churches, and other public buildings; in the advancing state of agriculture, the handsome and extensive farm-steadings, the inclosures, and the cultivated lands reclaimed from the waste; in the embellishments of the scenery, and the young woods rising around; in the comfortable and independent condition of the peasantry, where every able-bodied man could maintain and educate his family, scorning to depend upon public relief. In short, if Scotland had advanced in affluence and prosperity, it had been in a great measure owing to the exertions and spirit of her country gentlemen; and if the present measure was calculated to diminish the importance and crush the influence of that important class, he could hardly conceive a greater calamity to the nation. But was the existing system in Scotland so utterly defective, and so unsound in principle, that it could not be improved or amended? This was the course which a wise and prudent Statesman would adopt, if he possibly could. In retaining the foundation of ancient institutions, it might be possible, more or less clearly to calculate the effect of proposed alterations, and perhaps to provide against the risk of failure. But the learned Lord—and after him the noble Lord opposite—had utterly condemned the present system. "I will utterly subvert it," said the learned Lord, "will not a shred, not a rag of it I leave remaining." He had never heard a more reckless or revolutionary sentiment fall from the lips of a legislator. Had he (the learned Lord) ever paused to consider with how much violence this must be brought about—with what inroads upon private rights—with what a shock to credit and to all existing institutions? The various civil institutions of a country were all, more or less, dependent on each other. They grew up together, and became gradually fitted and adapted to each other, as the parts of one compact and united whole. If, therefore, one part were entirely subverted, the whole received a concussion which might dislocate all its parts. This was particularly the case with the election rights of Scotland, which were intimately connected with the whole system of its rights of real property; and he had never conversed with a well-informed person in that country, Reformer or Anti-reformer, who did not deprecate so entire a change. In Scotland people were warmly attached to their national institutions. They might not always find favour in the eyes of Englishmen; but because they frequently differed from those of England it did not follow that they were defective. They might have been adapted to the peculiar circumstances of the country—to the climate—the national character prejudices, or tastes—to the accidental distribution of property—or to the character of its other institutions. Under them the country had prospered, and they were linked with the earliest associations of the people. To condemn them was to touch the national prejudices in a tender point; and jealousy was easily roused by any attempt to change or subvert them. More than once had such an attempt roused the ire of the Scottish nation. But this was the boldest attempt of the kind that had ever yet been made, and in it he foresaw only a commencement of many more such desperate innovations. But there was many a breast in Scotland that would respond to the sentiment of their poet Burns, when he left the thistle unweeded in his garden because it was the emblem of his native land:—

> "The rough bur-thistle spreading wide
> Amang the bearded bear,—
> I turned the weeder-clips aside,
> And spared the symbol dear."

Let not, then, their English fellow-countrymen, when they cultivated their roses in a richer soil, and under a more genial sun, or their countrymen of Ireland, when they boasted of the verdure of their shamrocks—despise the hardy plant of more northern regions. It was not destitute of beauty; with them it was no sickly exotic, but bloomed as luxuriantly on the mountain side as in the sheltered valley—a fit emblem of their nation—hardy and formidable. So was it with some of their national institutions. To an English eye they might appear barbarous or grotesque, but the people were attached to them for many reasons, and chiefly because they were their own. There they stood, testifying to all the world, that the Union of Scotland with the wealthier and more powerful realm of England, was brought about—not by the sword of conquest, but by the compact of a solemn treaty betwixt two independent nations. They preserved the national distinction, and why should not this be kept up? It had been the parent of many virtues, and the stimulus of much enterprise among Scotchmen. Betwixt the sister nations it excited only a generous rivalry, and in this respect it had not been without advantage to England. He hoped he had avoided the fault attributed to most of those who had preceded him on that side, he had abstained from touching the details of the Bill. His observations on these he would reserve for other opportunities. He had also carefully avoided the question, how far any modification of the present system, or any change at all, was likely to prove beneficial to Scotland; for all that he had to do with, was the Bill now before them, and, comparing that with their present system, he could never approve of it. The Gentlemen on the opposite side had endeavoured to evade a powerful argument, which they could not answer—that Scotland had thriven under the present system; but still this must be utterly changed, because, forsooth, it was not suited to the theories and altered tastes of the present day. They could not deny that Scotland had been tranquil and happy, and prosperous and contented; but all this was in no respect the fruits of the present system, but had been so in spite of it. Was this assertion to be received from them as a self-evident truth? Was it possible that, if so vital a part of the Constitution were so utterly vicious and defective, that "not a shred, not a rag of it," ought to be any longer endured, the country, oppressed and burthened with such a government, could have been the most prosperous and tranquil portion of the empire? This proposition, if it did not set forth its own absurdity, ought to be examined and probed to the bottom—but there was no time for that at present. They might inquire how a different system had operated elsewhere; they might look to other parts of the empire—to Ireland, for example, which had long enjoyed a system in most respects similar to that which it was now proposed to introduce into Scotland. Was the prospect of the proposed change, when viewed in that aspect, so inviting? He would not fatigue the House with a picture of the condition of Ireland, for that they had every night from Irish Members, who vied with each other, Reformer with Anti-reformer, in drawing that picture with the deepest shades. It was enough to remark, what was so universally admitted, that, though a richer and more fertile country, the condition of Ireland was a complete contrast to that of Scotland. They might be told, that that condition, too, had no connexion with the constitution of her Representation, but was brought about in spite of it. He could not so readily admit this. Was there, of all the evils which afflicted Ireland, any one more prominent—so prominent, indeed, that, like Aaron's rod, it seemed to swallow up all the others,—than the state of perpetual political agitation with which that country was afflicted? From such a scourge Scotland had been hitherto exempt, and long might she continue so. As he had never before intruded upon the House in the course of the debates upon the Reform Bills—though he had been present at every one of them, since they were first commenced on the 1st day of March—he would take this occasion to declare, that, after having carefully considered those Bills in all their character and bearings, he could not in conscience support them. When he looked back upon the past prosperity and happiness of his country—and forward into the vast vista of innovation which opened before them, he felt the most anxious forebodings for the future prospects of Great Britain. He was not blind to the anomalies and defects of our ancient system, but seeing how it had worked for the freedom and peace of the nation, and now seeing such vast changes about to be introduced, his fears preponderated over his hopes—his fears of ruin over his hopes of improvement. With such feelings and anxious forebodings, he could not, as an honest man, give his support to any of the measures of Reform that had been brought forward by his Majesty's Government.

Mr. *Patrick M. Stewart* said, that being one of those whom an hon. and gallant Member opposite designated as Scotchmen billeted on England, he hoped the House would indulge him for a short time. He would not attempt to follow the hon. members for Selkirk and Nairn through their vast and varied speeches. The crow's flight through such time-absorbing orations would imply a heavier tax on the patience of the House than he could venture to impose, or to attempt; besides, their length, their breadth, and their thickness, rendered that hopeless. But he must enter his protest against two assertions of his hon. friend, the member for Nairn; the first, that the tenantry of Scotland were adverse to their own enfranchisement; the other, that the people of Scotland were indifferent to the fate of this great measure. These assertions he most positively denied; and the hon. Member must have voluntarily closed all the ordinary avenues of conviction, if he left Scotland under any such impression on his mind. It was important that such opinions as those expressed by his hon. friend should not pass unnoticed and uncontradicted, especially at this momentous crisis. Notwithstanding the ardour with which the hon. Member had spoken against this measure, there was one cheering inference to be made from this debate, which was, that they were all, at last, Reformers; and whatever might be the fate of the letter of the Bill, its spirit—the spirit of actual and ample Reform in the Representation of the people and property of the country—might be declared as secure beyond all hazard. In confirmation of this, he would remind the House of the division on this Bill on Friday se'nnight, when the largest proportional majority that had yet supported it occurred; and when, moreover, this majority was strengthened by the accession of some hon. Members who, hitherto, had been active and strenuous opponents of the measure throughout. He alluded to the hon. member for Bossiney; his hon. friend, the member for Dumfries; and last, not least, to his hon. friend, the member for Honiton (Sir George Warrender), who, like another Georgium Sidus, had lately been discovered as belonging to their system—not a fixed star, but a planet—whose distance and eccentric movements had hitherto baffled calculation, but who now shed a direct influence upon the prosperity of their cause. He had hoped to have made other such flattering discoveries at this stage of the progress, for he considered the Representation of Scotland so flagrantly bad, that all who were interested in her welfare, and anxious for her enjoyment of the common rights of citizenship, would have united in approving of the principle of a Bill, which was destined to remedy defects that were too notorious to be denied. This Bill, differing from its companions, contained no clause of absolute disfranchisement, but went at once to extend Representation, and to establish the elective franchise in Scotland, for it scarcely now existed there. He understood elective franchise to mean—the privilege of exerting a free choice; and if he was correct in this definition, he was also correct in asserting, that it was of rare existence in Scotland. The consequence was, that they had not a single hon. Member in that House, from that country, who could be styled the Representative of any considerable portion of the people; nor could it be otherwise, if they considered for an instant the constituency by which they were returned to that House. It was clearly shewn by the learned Lord Advocate, in a speech equally distinguished by the power and closeness of its reasoning, as by the classic polish of its eloquence, that the constituency of Scotland was a mere mockery. The learned Lord overstated it when he said it exceeded 4,000, for the county voters, after deducting those who were enrolled in more than one place, did not exceed 2,500, for a population of nearly 2,000,000; whilst the borough voters amounted to about 1300, for a population of nearly 500,000—making up a constituency of something under 4,000 for the whole kingdom of Scotland. To prove that hon. Members could not consider themselves in the light of Representatives of the people or property of Scotland, he would take the cases of any contested places on the last occasion. His hon. friend, the member for Ayrshire, was returned by the votes of seventy individuals, but the county contained 128,000 people, and its valued rent (which was considerably below its actual rental) was 192,000*l.* His hon. friend, the member for Lanarkshire, in the same way, was sent to that House by the voices of ninety-four individuals, from a county containing 300,000 people, and valued, in the Doomsday-book (which, of course, was infinitely below the real value) at 162,000*l.*; and the hon. member for Edinburgh was returned by the support of seventeen individuals, who, by the mockery of the present system, stood invested with the power of choosing for a population of 140,000, living under an estimated rental of 500,000*l.* How could the name of popular, or any word approaching to it, be applied to a system affording such illustrations as he had now given of it? The borough which he had the honour to represent, possessed a constituency equal to that of Scotland, although the population of Lancaster was under 12,000; while the notorious Cornwall returned forty-two Members from a population of 257,000. These were the extreme anomalies with which the present system of Representation abounded, and they could no longer be defended. To say they had hitherto worked well (which some of them might be so bold as to deny), was no argument as regarded the present and the future. They had at last been hit, and, like blots, must be expunged. The counties of Scotland were, in fact, carried by out-voters, and its boroughs by self-elected Magistrates, and this was the monstrous consequence, as was forcibly said by the right hon. and learned member for Knaresborough, that its counties might be represented by those who had no interest whatever in the land; and its boroughs by those who had no connexion whatever with the people. The same sentiment was expressed by one whose memory must for ever be held in respect by all constitutional Reformers—the late Lord Archibald Hamilton—in one of the last efforts he made in that House, in this, then hopeless, cause. Had he lived till now he would have reaped a rich and well-merited reward for his unwearied exertions in behalf of the rights and liberties of his fellow-subjects, by the approaching triumph of the cause he so strenuously advocated; and the Scotch Reformer could not look upon his place, now to know him no more, without feeling the magnitude of the loss the cause had sustained. However near they might be to the end of this arduous voyage in which he once took the helm, their lamentation must be—"*Jacturam gravissimam feci, si jactura dicenda est tanti viri amissio.*" Although, as the learned Lord said, there was no schedule A to this Bill, there was a clause—the ninth, which had much of schedule A's virtue in correcting the palpable rottenness of the Scottish boroughs, by destroying the political power of the Town Councils, and distributing it among the intelligent and industrious citizens. He had great respect for many members of the Town Councils, and believed them to be vastly respectable within the sphere of their own natural usefulness; but it roused feelings of strong indignation to contemplate the power with which they had stood invested with respect to sending up Representatives to that House. Self-elected, self-governed, self-applauded, how, in the nature of man, could they be judges of fit and proper characters to represent the people, and to fill a seat in this popular Assembly? Decent, respectable landmarks, receding, as it were, from the progress made, or which ought to be made, in all political affairs, it was requiring too much of them to exercise such a trust. If his hon. friend, the member for Nairn, saw them in the light he did—he would, with his passion for pillars, describe these Town Councils as composed of men who, in passing through this wilderness of life, were guided by day, by the pillar of their prejudices, whilst their guiding pillar by night, was Matty and her lanthern, and whose motto of immovability, amidst the ceaseless change around them, was—"As my father the Deacon did before me." He had hoped, that the whole body of Scotch Members would have united in denouncing and destroying so humbling a system as this was—that the hollow mockery of the system might have been the means of proving the sound sincerity of their professions as Reformers. But the Bill, like Ithuriel's spear, tested as it touched, and separated at once the pretending from the real Reformer. It had been plausibly argued by hon. Members opposite, that one effect of the present measure of Reform would be, to prevent altogether, or render it difficult, for Scotchmen to find seats in England, and thus virtually to deprive Scotland of several Representatives. Dr. Johnson said, that the happiest sight a Scotchman could behold was the high road leading to England, a sentiment, however, which came from the Doctor's stomach, rather than from his head, and which, besides, was uttered at a time when Scotland was in a very different state from what she now was; or, in the worthy Doctor's own words, when "his walking-stick was in danger of being stolen as a piece of valuable timber." Although he was far from agreeing with the Doctor in his opinion, he should be very sorry to think, that the effect of this measure was likely to prove as predicted by its opponents. In his own case, for instance, he did not know why he should despair of finding the same kind and generous welcome from the 1,000 constituents of which Lancaster would hereafter consist, as he had hitherto found from 4,000; and when he looked at the equally proud situation of his hon. friends, the members for Nottingham, Norwich, and Stafford, he could not imagine that they were all to be placed in jeopardy, by so just and constitutional an abridgment of their constituents as this measure might possibly effect. The same argument was used as regarded the colonies—but he could not at all enter into it; for, without asking how our colonial interests might hitherto have been represented in that House, they were not likely to suffer by the increased admission of property, and of gentlemen connected with the commercial communities of the country, which undoubtedly would be the effect of this great measure. Those who argued against it on account of the change which it would bring about, and who were imbued with a reverential feeling of respect for the ancient and immutable rights of boroughs, and grants coeval with the existence of Parliament, must forget that the History of Parliament was one of continued change, from its beginning until now. No less than 190 Members were added to that House from the time of Henry 8th to that of James 1st—a period of 115 years; and in the short reign of Edward 6th, who ascended the Throne at nine years of age, and, unfortunately for our nature as well as our nation, descended to the grave at fifteen, no fewer than seven or nine boroughs were called into existence in Cornwall. And, in Scotland, how incessant had been the changes—from the original Colloquium to their Parliament as it existed at the Union, with 226 Members, and, since then, with only sixty-one Peers and Commoners. In this respect, therefore, the fear of change need not perplex them. If it be a maxim in government, that some proportion ought to be observed between the share in the Legislature and the extent of the burthen borne, then considering the enormous amount of their taxation, it was full time that the people so taxed should be admitted to a more immediate control over those with whom rested the power of taxing them; and the extension of the franchise would effect this desirable and most constitutional end. He was not one of those who joined in heaping blame and complaints upon those who had manfully and conscientiously opposed this measure. It was one of vast importance, and fraught either with "choicest good or heaviest ill" to their country; and those who dreaded the ill, did well in opposing it both in principle and practice. But having none of these misgivings, nor compunctious visitings—but, on the contrary, being sincerely convinced of the great good it was calculated to effect, he would give it his humble but most strenuous support. It was, however, of less importance now to encumber it with help here, than to follow it with ardent wishes for success elsewhere; and this he did most earnestly. He hoped it would be remembered, that "a kingdom divided against itself must come to desolation"—and by a reverend and most important body, it ought to be also remembered, that many distinguished supporters of the Church had proved themselves to be the strenuous advocates of the rights and liberties of the people; and that the great Charter itself, and afterwards the Petition of Rights, were mainly secured by the enlightened zeal and ardent assistance of Archbishops Langton and Abbot. The Petition of Rights, when threatened to be abridged by the House of Lords, was retained in its original form by the agency of Bishop Abbot. It had been said in the course of these debates, and by an authority for which he felt unfeigned respect, that one effect of this measure, as brought forward by his Majesty's Ministers, was, to identify loyalty to the King with hostility to the Constitution. This was a startling declaration, especially when coming from so high a quarter; but there were no grounds whatever for it. For any one at all conscious of the inestimable value of our Constitution, it would be to be loyal at too dear a price; nor would our patriot King receive the tribute on such terms as these. He was aware of the envied and enviable character of that Constitution. From the British Massillon he had learnt that "I am a citizen of a country which has accomplished beyond what the annals of man have hitherto exhibited in the union of public power and private liberty; which has blended the might of political combination with the energy of individual exertion, and which has awakened all the powers that contribute to national prosperity, by the freedom which it gives to their exercise." But he had likewise been instructed respecting this Constitution, that it was founded upon the rights of the subject; that it had described with a firm hand the boundaries of legitimate power, and of just allegiance; and that, above all other qualities which it possessed, was that principle of amelioration by which it could accommodate itself to the widest exigencies of national progress. Fearlessly then, and fervently, he supported this Bill, and the great measure of which it formed a part, believing as he did, that it was calculated to effect much lasting good, by restoring, as it would do, the franchise to its best basis—which was property, and that House to its only true constituency—the people.

Mr. *Kennedy* said, this debate had been characterized by a practice which was not a very usual one in that House, but which had, of late, increased considerably; he meant the practice of referring to past discussions; and he could not but think, that the pursuing this course towards the learned Lord Advocate for Scotland, arose from a feeling that the arguments he adduced in the course of that admirable speech were not capable of being answered. On the second reading of this Bill he had been anxious to address the House, not from any feeling that he could add any new information to that already afforded to the House by those who had preceded him, but because this was one of the most important subjects that ever was brought forward with reference to the country to which he belonged. If, however, he had thought it unnecessary to trouble the House at any great length on former occasions, still less could it be required of him now to do so—after the triumphant majority which had expressed its opinion upon this subject. The case of Scotland, from all that had been said to-night, had been abandoned, and abandoned by those whom he should have least expected to find adopting such a course. He could not forget the occasion upon which his right honorable friend, then the member for Calne, (Mr. Abercrombie) had, at various times, submitted several petitions to the House on the subject of Scotch Representation. What was the motion, too, of his right hon. friend upon that occasion? It was, that that House would, early in the next Session, take into consideration the state of the Representation of the Scotch counties. That motion was scouted by a large majority. What was the different position in which they now found themselves placed? Although that motion was scouted by a majority of twenty-four, they, now stood on the second reading of this Bill, with a majority of 115 in their favour. There really was no moderation in the inconsistency of the hon. Gentlemen opposite. A Bill was now introduced on a general principle which would satisfy the people of Scotland, and such was the feeling on the subject, that it could not with safety be delayed. Under the strong feeling that such was the case before, he presumed, when the late Government declared their hostility to all Reform, to give notice of a motion on this subject that excited the high displeasure of the right hon. Gentleman, who said, that there was no feeling in Scotland in favour of this measure. He would beg to observe, that as that right hon. Gentleman did not represent a large portion of the people of Scotland, it was not at all improbable that he might know very little of their wants and wishes upon this subject; and they who made a similar declaration, clearly shewed that they did not participate in the feelings of the people of that country. It undoubtedly was not his intention to go at any length even into the general principles of this measure, but he was desirous of making a few very short observations, in the course of which he would confine himself within proper limits. A great deal had been said about the agricultural interests, and the commercial interests, and the manufacturing interests, and of the relative proportion of Members which each of these should have, but it was not consistent to talk in this way, when the Representation of the people was in question. It was the people of the country that should be represented, without reference to their occupations. By this, however, he did not mean the mere mass of the population, but the wealth and intelligence of every class of the community. In what did the constituency of Scotland consist at present? Many of the large landowners possessed the franchise, but the great majority of the owners of the superiorities had no direct connexion with the counties for which they were entitled to vote. He was acquainted with several of the most extensive landowners in Scotland, who had no share whatever in the election of the Members, in consequence of their not being proprietors of these parchment votes. He might be told that, under the present system, the property of the country was represented, and that the elections were attended with little expense; but he denied that this was the case. He would appeal to any gentleman who had stood a contest for a Scotch county, as to the correctness of this assertion. Was it not notorious, that in many cases he had to purchase a number of superiority votes to secure his return? He did not mean to say anything disrespectful of the hon. and learned member for Kirkcudbright, but he contended that a Scotch gentleman had very little chance of representing a Scotch county, if he were not a supporter of the Government of the day. His hon. and learned friend was returned, when in opposition to the Government, it was true; but an uncommon combination of circumstances led to that event. Most of the Scotch Members, however, had to procure promotions in the army or navy for—or send to India—the younger sons of the owners of the superiorities. If a gentleman was not able to procure a tolerable share of patronage from the Minister of the day, he had very little chance of being returned for a Scotch county. It was said, that the landed interest of Scotland was now well and adequately represented. Instead of that, it was completely overwhelmed by the influence of the class of persons he had described, who had in their possession superiority votes. It was now proposed that no one should have a vote who had not a beneficial interest in the county, of the annual value of 10*l.*; and this arrangement would give a much greater influence to the landowners. If hon. Gentlemen were desirous of trying the proposed constituency by the test of wealth and property, and also the present votes by the same mode, the new constituency would be found to possess ten times, or even fifty times the wealth possessed by the old. The extending the franchise to the 10*l.* householder was one of the most beneficial parts of this measure. All classes were desirous of bettering their condition; and no human being, who knew anything of the subject, would assert that this desire would not be a powerful inducement, with every person of common education, to try to obtain the franchise. It would be an increased stimulus to exertion, and would be found to be a most beneficial feeling. Most of the people in Scotland were extremely desirous to exercise the franchise. When the observation was made, that the franchise was given to the 10*l.* householder, it was to be observed that that class included all who occupied houses of a higher rental. The new system would comprehend the whole wealth of the country; and would give a greater degree of influence to property, combined with intelligence, than any hitherto devised. It was directly contrary to the feelings and interests of the people, that the system of superiority voting should continue; and he trusted that his Majesty's Ministers would not consent to any motion of the sort. He wished to see all systems of this sort removed, and only the public benefit regarded. There was not a nation on the face of the earth who were better adapted for the proper exercise of such an elective franchise. He could not conceive that it was possible to form a more enlightened constituency than that which would have the franchise conferred upon them under this Bill. A Reform such as had been proposed, would tend to strengthen the whole empire, and to promote the well-being of all classes:—it would lead to confidence in the Government, and give a fresh stimulus to the industry of the country. An inference directly contrary to that drawn by several hon. Members, should be deduced from the circumstance, that the country had increased in wealth and intelligence under the present system. If the country had gone on in spite of all these impediments, the probability was, that the advance would be most rapid under an improved system of Representation, in which the people would have a direct influence in the choice of their Representatives. It was the duty of the Legislature to satisfy the demands of the people on this subject; for the whole country desired that the measure now proposed should pass into a law: and he trusted that this would take place without any delay.

Mr. *Robert A. Dundas* would make a few observations on the subject, in answer to some observations that fell from an hon. Member opposite in the previous part of the debate. The hon. Gentleman had referred to some remarks which were made by a right hon. friend of his in a former Session, on a motion that was brought forward relative to the Representation of the city of Edinburgh. The occasion was that on which Mr. Abercromby submitted a motion to the House, with a view to increase the constituency of the city of Edinburgh, but which was negatived by a majority of between twenty and thirty. It was objected to that proposition that there was no great desire on the part of the people of Scotland for a change in the system of Representation in that country. This occurred in 1826; soon afterwards, a dissolution of Parliament took place, and in the ensuing election the people of Scotland did not, by their conduct, exhibit any symptoms of disapproving of the view taken of the matter by the majority of their then Representatives in this House. The people, doubtless, were aware that anomalies did exist, but no great desire for a change was exhibited until very recently, and until the last returns, all the elections had been quietly carried on. When, however, his Majesty's Ministers brought in a Bill for a complete change in the system of Representation, and when the name of the King was used—if not unconstitutionally, at least most improperly—in support of it, a degree of excitement certainly prevailed which had not been previously experienced for a considerable time. The people thought that they were called upon to support the Sovereign on this occasion; and it was rather this notion, than the question of Reform, that led to the great manifestation of popular feeling that took place. At no previous period had the name of the Monarch been made use of, as it was at the last election. He had referred to the general election of 1826, at which period the late Lord Liverpool was at the head of the Administration, and when the question of Catholic Emancipation had occupied a large share of the public attention; yet, at that election, the name of the King was not used with a view to influence the return of Members who took the same view of the subject as the noble Lord then at the head of affairs. He himself had always been favourable to Catholic Emancipation, but if an outcry had been raised at that time, as had recently been done, it would have had a material effect upon the elections. He never could sanction this improper use of the name of the Sovereign; for, in point of fact, it was sacrificing the peace of the country to the promotion of certain political objects. The hon. member for Lanark had referred to the state of Scotland at the time of the Union, and the number of Members that were then to be returned. He, however, forgot that it was not without considerable opposition that the Scotch Parliament consented to such a small proportion of Members for that portion of the empire, and that on no account would that Parliament consent to a change in the constituency of the country. With respect to the present Bill, there were changes to be proposed, and systems to be adopted, different from anything which had ever hitherto existed in Scotland, and different also from anything that was to be carried into operation in England. He would not repeat what he had formerly urged; but the system that was now proposed should have, as it had already had, his uncompromising opposition. He should not be justified in assenting to the adoption of a system of Representation for Scotland, of which he had hitherto had no experience, and which was not adapted to the habits and feelings of the nation. No one would say, that he was opposed to all species of Reform; but he would oppose most strenuously a change, which would tend to subvert all existing institutions in that country. He knew that men of the greatest experience and wisdom had failed repeatedly in tracing the results of changes much less extensive than the present. It was, therefore, most dangerous to adopt a measure, the consequences of which it was imposible to foretell with any degree of certainty, and to which, when once adopted, it would, in case of failure, be found impossible to retrace their steps. He could give his support to that part of the Bill only which proposed to extend to the large towns of Scotland a share in the Representation; this had long been desirable, and had his cordial approbation. To the very extensive constituency which was proposed to be formed he had a great objection. He should oppose the other clauses of the Bill, being satisfied that they were not adapted to ensure a proper Representation of the wealth and respectability of the country.

Sir *George Murray*, having given notice of a motion on a subject which had not been touched upon by previous speakers, would make a few remarks. The separation of parts of counties and annexing them to others for the purposes of elections was most objectionable on many grounds. It was a most safe principle in legislation, and which they ought never to lose sight of, to depart as little as possible from existing arrangements. This principle was professed by the advocates of the Reform Bill for England; and, although it had not been so strictly attended to as could be wished, yet it had not been lost sight of. Unless strong grounds could be pointed out for a departure from this rule, there could be no justification for such departure. No strong arguments could be urged to justify the dismemberment of some of the Scotch counties; at any rate, none had been brought forward to satisfy his mind on the subject. It was true that some of the English counties had been divided for the purposes of election; but that case was essentially different from the case of the Scotch counties. For instance, the county of York was to be divided, and each of the ancient Ridings was to return two Members. This arrangement was not objectionable, as the separate Ridings might almost be regarded as distinct counties; and this arrangement would tend to preserve the independence of the whole county. It had repeatedly been found to be the case, that the freeholders of the other Ridings were completely swallowed up by the great number who resided in the West Riding; so that this division would secure the independence of each separate Riding. The counties that had received four Members had also been divided, for the purpose of facilitating the elections; and this was not very objectionable. Thus the counties of Durham and Northumberland were to be divided—which would be rather advantageous than otherwise; and the same might be said of the county of Lancaster; but no one had proposed to take a portion of one county and add it to another, for the purpose either of making up a sufficient constituency, or of facilitating the elections, as had been proposed with regard to some of the Scotch counties. Such an arrangement was most objectionable, and the feelings of the people would be decidedly against being detached from the counties to which they belonged and added to others. The noble Lord would agree with him, that it was extremely injudicious to set aside the feelings of the persons interested in a question of this nature. He did not belong to that sect of philosophers who asserted that individual feelings might be set aside when legislating for a nation. If the course now pursued were persisted in, it would excite ill feelings, as the people of Scotland entertained in a peculiar degree those local attachments which formerly were regarded as laudable. The arrangement, also, would interfere in a peculiar degree with the local institutions of the country, and would lead to the greatest inconvenience. When a sufficient constituency could not be formed in one county, the union of two, for the purposes of Representation, was much less objectionable than the detaching a portion of one county and annexing it to another. He did not object to the union of Ross and Cromarty, as there were circumstances that might justify that union; for example, community of interest—the same Sheriff was always appointed for the two counties. In point of fact, Cromarty was formerly a portion of the county of Ross. The same observation could not apply to the union of part of Nairn to Elgin in the choice of a Member, and that proposition was most objectionable. If some arrangement of this kind must be made, it would be better to give two members to Ross, Cromarty, and the parish of Nairn, called Ferintosh, which lay near Dingwall, in Ross-shire, and was almost surrounded by that county. This would make up a population of about 80,000 persons, which was sufficient to justify the granting of two Members to it. He had given notice of a motion on this subject, which would come more properly under their attention at a future period, when the House would go into Committee on the Bill. Notwithstanding this separation of parts of counties for the purposes of election, all fiscal concerns, and the control of the Sheriff's Court, were left as heretofore; all the political influence of these detached portions were thrown into other counties, and yet, for the purposes of finance and the administration of justice, they were to remain connected as before. To this he most strongly objected. Either the separation ought to be entire, or not be made at all. But how had the principle adopted by his Majesty's Ministers been applied? It was proposed to commence with the important county of Argyle, from which the district of Cowal was to be separated, for the purpose of being annexed to the county of Bute. This district of Cowal was much nearer to the county town of Argyle than it was to the county of Bute, so that this arrangement could not have been made with a view of facilitating the electors of Cowal in getting access to the place of poll. Throughout the whole of those proceedings, Ministers had rather been governed by caprice than by sound judgment. The districts of Merth, Kinlyn, and Lorn, were all much more remote from the county town, and nearer Bute than the district of Cowal, so that, if it had been necessary to detach a portion of the county of Argyle for election purposes, it was reasonable to think that the more convenient portion would have been taken. With respect to the county of Perth, the district of Culross ought not to be separated from it with a view of being annexed to the counties of Clackmannan and Kinross. These two counties at present returned one Member, and it would be most unjust to add a large portion of Perth to them. This arrangement was in decided opposition to the wishes of the inhabitants of all that part of Scotland, and was calculated, if persisted in, to excite considerable discontent there. According to the population returns of 1821, the county of Clackmannan contained 13,500 inhabitants, and the county of Kinross 7,900, making together a population of 21,400. This was very nearly 3,000 more inhabitants than the English county of Rutland, which now sent and was to continue to send, two Members to that House. There was no ground or pretence for disuniting the county of Perth for the purpose of making an addition to the counties of Clackmannan and Kinross, which already contained an ample population; and the constituency would be a most respectable body. It was true that this was a remote, and almost a detached portion of the county, but then it must be recollected that considerably more than half the county was more remote than Culross. The very extensive districts of Athol, of Bredalbane, and of Rannock were all more remote from the county town than the district of Culross. He was quite at a loss to understand what principle had been acted upon in those arrangements. In the plan submitted to the House by the Government, relative to this country, it was proposed that all counties containing 150,000 inhabitants, should, for the future, return four Members, and all counties with upwards of 100,000 should have three Representatives. In addition to this, two Members had been conceded to each of the Welsh counties containing upwards of 70,000 inhabitants. It was only a measure of justice that those Scotch counties containing 70,000 should also have two Members each. If, however, detached portions were thus taken off—the population of some of the counties entitled, according to this rule, to two Members, would be reduced below 70,000. This would be the case as regarded the county of Argyle in particular, according to the census of 1821. It might be said that Wales was a conquered country, and Scotland was united to England by the Legislatures of the two countries, when an arrangement was made as to the Representation, and the inference was drawn, that the former country should be treated in a different manner from the latter. According to every principle of justice, the Scotch counties were entitled to an addition to their Representatives. Not only the large manufacturing counties were entitled to an increased number of representatives, but more particularly the agricultural counties. The county of Argyle, in 1826, contained a population of 90,000; but now, according to the census of 1831, it had considerably more than 100,000 inhabitants, It was, therefore, entitled to two Members. Again, with reference to Perth, although a separate Member had been given to the town, and although the district of Culross had been detached, he would call upon the House to grant her Representatives accordingly. He could see no possible advantage or benefit that could result from the disunion of counties, nor conjecture the reasons that induced his Majesty's Ministers to adopt this course. He did not mean to found a motion on the division of counties, but he hoped that the noble Lord would take the whole question into his consideration. If there were strong grounds which had led to this arrangement, the noble Lord ought to state them; but, in his opinion, no reason that could be given would justify the course adopted. It was his intention to offer every opposition in his power to this arrangement in the Committee.

Mr. *Francis W. Grant* trusted, that before going into Committee, his Majesty's Government would re-consider the proposal of uniting the counties of Elgin and Nairn, a measure which was extremely unjust. By it the county of Elgin, with a population of 34,000 souls, was to be deprived of one-half of its present rights. There were several other counties in Scotland with a less population, which were left by the proposed Bill in the full enjoyment of the share in the Representation which they had hitherto enjoyed; and why was the county of Elgin to receive a different measure of justice? He would also mention the cases of the counties of Peebles and Selkirk, whose united population did not amount to that of Elgin alone. The proposal of partially disfranchising these counties, had been very properly given up; but why should the county which he had the honour to represent be treated with less consideration than those small counties? No county in Scotland boasted a more respectable constituency—or would, if this measure should pass, afford one more independent. The feeling in the county was unanimous against this union, and in proof of it he would refer to the county paper, which contained an article protesting strongly against it, and which, although in general advocating the cause of Reform, had expressed the greatest dislike of the proposal. This paper expressed the unanimous opinion of the county, and he hoped that the Government would not persevere in forcing that clause through the House.

Admiral *Adam* had the honour of representing the united counties of Clackmannan and Kinross, and felt called upon to make one or two observations, in consequence of what had fallen from the right hon. Gentleman. The only object of his Majesty's Ministers in the proposed arrangement was, to procure a better system of Representation, and they would attain this object by the proposed arrangement. It should be recollected that the two parishes of Perth which it was proposed to annex to the counties of Clackmannan and Kinross, were separated from the rest of Perthshire by the county of Kinross; and therefore, for the purposes of election, it was infinitely better that the districts should be united to the two counties, than that the voters should have to go to a great distance to exercise their privilege of voting. The right hon. Gentleman said, that this arrangement was directly opposed to the feelings of the people; but this was not the case. He held in his hand a letter dated from that part of the country, in which it was stated, that the people gave their support to the Bill, and had expressed their approval of it; and the inhabitants of the parish he had alluded to, entertained not the least objection to be united with Clackmannan and Kinross in the choice of a Member. From the union of the two counties, with a more extensive constituency than at present, a feeling of rivalry might grow up; therefore, it would be a useful arrangement to unite these parishes, which did not properly belong to Perthshire, to the two counties. Indeed, a considerable portion of one of these parishes was in the county of Kinross. In short, the intention of Government was, to make a more united and compact constituency; and this might be done, without injuring any one, by the present plan. The right hon. Gentleman said, that Perthshire ought to send two Members to Parliament; and if this parish were detached from it, together with the city of Perth and the burghs, the population of the county would be diminished below the number of inhabitants which he suggested that a county should contain in order to entitle it to return two Members. The right hon. Gentleman must, however, be aware that there was not the least probability of his motion being assented to, as the object of it was opposed to the wishes of his Majesty's Government, and to the feelings of the majority of the English Members. The population of the county of Perth was large, and the inhabitants of that county were most respectable; but the right hon. Gentleman should recollect, that already a Member had been given to the city of Perth, which formerly only had a share with five other places in the choice of one Member, while a large portion had been detached from the county for the purpose of adding it to the counties which he (Admiral Adam) had the honour to represent, and thus the county constituency was greatly reduced. With respect to the union of the parish of Ferintosh, which belonged to the county of Nairn, to the counties of Ross and Cromarty, for the purposes of election, he would merely observe, that it was almost completely surrounded by the county of Ross. If the district of Cowal, in the county of Argyle, had not been annexed to Bute, that county must have been disfranchised; as it would have been impossible to form a constituency without adopting the course which had been pursued. It would have been an act of the grossest absurdity to continue a Member to Bute when the number of electors would have been so extremely small. Notice of a motion had been given by an hon. friend of his, relative to giving two Members to the county of Argyle, in consequence of its numerous constituency; but if the district of Cowal, which touched on Bute, was separated from Argyle, and annexed to the county of Bute, the number of the voters would be reduced, and that objection obviated. He was desirous that two Members should be granted to such Scotch counties as contained a population beyond a certain number; but as he saw no probability of carrying this proposition into effect, he was loth to hazard the safety of the Reform Bill by lending his aid in support of it. He would abstain from making any further observations on that topic until the right hon. Baronet should have brought forward the motion of which he had given notice. Government had his most cordial support in this measure, and he was satisfied that the noble Lord had been actuated by the purest motives in the arrangements he had proposed.

Sir *George Murray* most distinctly disclaimed having cast, or intending to cast, any imputation on the motives of the noble Lord. He entertained the highest possible respect for his character, and should be extremely sorry to say anything of him that would bear the construction of harshness.

Sir *William Cumming*, being connected with the county of Elgin, must enter his protest against the partial disfranchisement of that county by the annexing the county of Nairn to it in the choice of a Representative. If his Majesty's Ministers took population as a test, he would remind them, that there were several counties with less numerous populations, each of which was to continue to return an independent Member. For instance, the county of Elgin, according to the population returns of 1821, contained 31,800 inhabitants; Caithness contained only 30,800, Kincardine, 29,700, Linlithgow, 23,100, Dumbarton, 27,900, Sutherland, 24,300, Bute, 14,000, Peebles, 10,000, and Selkirk rather less than that number. The excitement of the people of Elgin on this subject was very great, and the newspapers published in that county very properly designated the proposal of Ministers as being as gross a piece of injustice as ever was inflicted by a Government.

Mr. *Cumming Bruce* protested against the language used by the hon. member for Ayr with respect to the owners of superiority votes. The hon. Gentleman had designated these votes as mere pieces of old parchment; he could tell that hon. Member, that had it not been for these parchment voters, the right hon. Gentleman, the member for Inverness, would not have been returned for that county, and his services would have been lost to the country. That right hon. Gentleman, at the last election, was returned by these voters, against the feeling of the landed interest of the county. He did not mention this circumstance out of any disrespect to the right hon. Gentleman, for any county might be proud of possessing a Representative of his high talents and distinguished abilities.

Lord *Stormont* was sure that the right hon. member for Inverness would not object to that species of votes to which he was indebted for his election. The influence of Government had been exerted to procure the return of certain candidates; the expenses of voters were almost paid out of the public purse; and yet, except in one instance, no change had taken place in the county Representatives of Scotland.

Mr. *Robert Grant*, in the absence of his right hon. relative, with all due deference to the hon. Gentleman opposite, gave a most unqualified contradiction to his assertion, that his right hon. relative was returned by that species of voters called paper voters, against the sense of the county. He was returned, indeed, against the wishes of some great landed proprietors, who endeavoured to introduce at the poll a number of paper voters.

The House resolved itself into Committee.

The Bill read a first time—on the question that it be read a second time.

Lord Althorp moved that the Chairman report progress, and ask leave to sit again to-morrow.

Motion agreed to—House resumed.

HOUSE OF LORDS,

Tuesday, October 4, 1831.

MINUTES.] Petitions presented. In favour of the Reform Bill; from certain Magistrates, Clergy, and Freeholders of Berkshire, by the Earl of ABINGDON. By the Earl of ROMNEY, from Maidstone. By Lord HOOD, from Coventry. By Earl GOWER, from Wolverhampton, signed by 5,720; Newcastle-under-Lyme; Longdon and Lane-end, in the Staffordshire Potteries; Stoke-upon-Trent, and Penkhall; Royal Burgh of Dingwall; Royal Burgh of Wick. By Lord YARBOROUGH, from five places in Lincoln. By Lord KING, forty-three, from several parts of the country, twenty-six of them from Political Unions, all breathing one sentiment, that if their Lordships should unfortunately reject the Bill, the Public Peace would be endangered. By Lord SUFFIELD, from the Town of Salford, signed by 5,641 Individuals, many of whom had not been friendly to Reform till within the last few months, and even weeks. By Lord HOLLAND, from one James Wright, who stated, that he possessed the right of Voting for ten places under the existing system, and that he was willing to sacrifice that privilege to facilitate the passing of this Bill; and several others from Leighton Buzzard, Bedfordshire; from Blandford, Dorsetshire; from a place in Leicestershire, signed by 7,000 persons; from Castle Carey, Somersetshire; from Witney, Honiton, and Halifax. By Lord SEGRAVE, from Stroud, signed by 225 persons; from Stonehouse; from the Mayor and Inhabitants of the Borough of Berkley, signed by 454 individuals; from the Inhabitants of the Borough of Tewksbury, signed by 770 persons; from the County of Gloucester, signed by 1,728 persons; from the Mayor and Corporation of the City of Gloucester; and from several other places in Gloucestershire. By the Bishop of Chichester, from the town of St. Ives. By the Duke of Richmond, from Battle; Ashford; Chichester; a place in Norfolk, signed by 1,390 persons; Daventry; Higham Ferrers; and from several other places. By the Earl of Glengall, from Thurles, Tipperary. By Earl Grey, from various places and Corporate bodies in Great Britain and Ireland, including the Borough of Monmouth; Bury, Lancashire; Launceston, Cornwall; Rochdale, Essex; the Parishes of St. Giles and St. George, Westminster; the Provost and Burgesses of Pollockshaws; the Incorporation of Hammermen, Edinburgh; and the Commissioners of Police, Glasgow. By the Lord Chancellor, thirty-eight, and among these Petitions, one from Birmingham, agreed to at a Meeting of not fewer than 150,000 persons;

[who, his Lordship stated, according to his informant, had conducted themselves with as much decorum as the House of Lords itself, and who, so far from exhibiting any disposition to turbulence, after the conclusion of the business, went home like children from a village school];

from the Parish of St. Anne, Limehouse; from the Ward of Aldersgate; from Wigan, Lancashire; from Whitehaven, Cumberland; from Dewsbury; Doncaster; Calne; Bridgenorth; Preston-Pans, and the Borough of Annan, Scotland. By Lord Belhaven, from Renfrew, and from certain Incorporations in Glasgow. By Lord Plunkett, from an Individual in the City of Cashel. By Viscount Melbourne, from St. Paul, Covent-garden, and from Truro, Cornwall. By the Earl of Pomfret, from Towcester, Northamptonshire. By the Earl of Lichfield, from Great Yarmouth, containing 600 names more than the one which had before been forwarded to the House of Commons. By Lord Dundas, from the City of York, and the Town of Largs. By the Earl of Rosebery, from Leith; from the Royal Burgh of Dunfermline, signed by nearly 2,000 persons; from Weavers of the Royal Burgh of Selkirk; from Linlithgow; from Inhabitants of the Counties of Dumfries and Perth; from Inhabitants of Selkirk and Portobello; from the Guild of the Royal Burgh of Inverkeithing; and from the Town of Kilmarnock in Ayrshire. By Lord Howden, from Tadcaster. By Lord Lilford, from Warrington, Lancashire, signed by 3,350, and from Leighton, in the same county, signed by 4,615 persons. By Lord Templemore, from Gorey, New Ross, and other places in Ireland. By Lord Sherborne, from Cheltenham. By the Duke of Hamilton, from Hamilton, and from Lismahago. By the Earl of Darnley, from Gravesend andMilton. By Lord Foley, from Worcester. By the Earl of Radnor, from Oldham, signed by 6,500 persons; from St. Pancras; from Croydon; from Bread-street Ward; from Coleman-street Ward; and from the Political Union of Edinburgh. By the Duke of Grafton, from the Magistrates and Inhabitants of Woodbridge, Suffolk, and from Inhabitant Householders of Whitechapel. By Earl Craven, from Coventry. By the Marquis of Westminster, from St. Martin-in-the-fields, Shaftesbury; Congleton; Nantwich; Holywell, Flintshire; from Limerick, and six other places. By Lord Poltimore, from Okehampton, and another place. By the Duke of Leinster, from the County of Clare. By Viscount Goderich, from Gainsborough, in the County of Lincoln. By the Marquis of Clanricarde, from Loughbred. By Viscount Falkland, from the Borough of Falkland. By the Earl of Sefton, from Toxteth Park (a suburb of Liverpool), signed by 6,000 persons of the greatest respectability; from Bolton, Lancashire, signed by 10,900 persons; and from a Parish in Leicestershire, signed by 400 persons. Against the Reform Bill By the Duke of Wellington, from the Borough of Preston, Lancashire; from Canterbury and its vicinity; from the Town and Port of Sandwich; from the Non-resident Freemen of the Borough of Dover, living in London; from the Inhabitants of Wye, Kent; from the Freemen of the City of Lincoln; from the Inhabitants of Ramsgate, and its Vicinity; from the Gentry, Clergy, Freeholders, and Inhabitants of the County of Sussex; from the Freeholders and Inhabitants of the County of Dorset; from the Parishes of Deal and Walmer. By Lord Grantham, from Inhabitants of the Town of Cambridge. By the Earl of Harewood, from a considerable number of the most wealthy Inhabitants of Leeds; from Wakefield and Doncaster, Yorkshire; and from the Parish of Shotover, Oxfordshire. By Viscount Lorton, from two Incorporated Trades in the City of Dublin; and from the town of Ballymena, Antrim. By Lord Dynevor, from Carnarvon. By the Earl of Westmoreland, signed by 500 persons from Northampton. By the Duke of Rutland, from the Borough of Leicester. By Lord Wynford, from Guildford. By the Earl of Shaftesbury, from Bridport, and Newport, in Cornwall. By Earl Bathurst, from Inhabitants of Tewksbury, and its neighbourhood. By Viscount Lorton, from the Corporation of Barber Surgeons, Dublin, for the Continuance of the Coal Meters Establishment. By a Noble Lord, from the Catholic Merchants of Galway, to extend the Franchise of that place to Catholics.

REFORM PETITIONS.] The Earl of *Camperdown* had petitions in favour of the Reform Bill to present from the town of Aberdeen, and twenty-two other places in Scotland. He would, in imitation of his noble friend at the head of the Administration, and his noble and learned friend on the Woolsack, merely read the names of the petitions, observing, that this was done not, certainly, out of any disrespect to the petitioners, but only for the convenience of the House. The petitions were numerously signed, and were couched in firm but temperate language. One of the petitions, however, deserved some particular notice. It was from the town of Aberdeen, and was signed by 5,000 persons of all classes, and might be said to convey the language and sentiments of Scotland generally on the subject of the Reform Bill. Aberdeen was a place of considerable importance; it was the seat of an University, and a great commercial and manufacturing city; and being considered as the capital of the north of Scotland, it was the residence of a great number of the most respectable and wealthy individuals of the district. The principal of one of the Universities proposed one of the resolutions, and the meeting at which the petition was agreed to was attended by many of those who had been before desirous of a much more extensive Reform, including Annual Parliaments and Universal Suffrage. The petition in favour of the present Bill was unanimously adopted, and this proved that no abatement of the zeal for Reform had taken place in that quarter. Their Lordships would please to observe, that this petition, and the other petitions from Scotland to their Lordships' House, referred to this Bill which was now under their consideration, and to this Bill alone; for they knew that it was upon the fate of this Bill that the question of Reform depended. He was not one who was very apt to be alarmed, but he confessed that he did feel considerable alarm at the contemplation of what might be the consequences of the rejection of this Bill. The people of Scotland had long been anxious for an efficient Reform, and they thought that at last they had got it in their grasp, and if they failed to secure it, the disappointment would be so much the greater. His Lordship presented the Aberdeen petition, and petitions from the Corporation and inhabitants of Kirkaldy, signed by 1,353 persons, the Corporation giving up their monopoly for the good of the public; from Markinch; from Blackford; from Carnwath; from Haddington; from Kerrimuir, signed by 1,000 persons, although it was a small town; from Abernethy; from Ely; from the Law Procurators of Perth; from Anstruther; from Laurencekirk, from certain Incorporated Trades of Aberdeen, and other places.

Lord *Minto* confirmed the statement of his noble friend as to the disposition of the people of Scotland in regard to this great measure. All their petitions referred exclusively to the Bill before the House, which some of them distinctly marked as the English Bill, for they were too intelligent not to be perfectly aware that it was upon this Bill that their own Reform depended. His Lordship then presented Petitions in favour of the Reform Bill from Melrose, Jedburgh, and Howick, the latter signed by 1,100 persons.

The Duke of *Devonshire* presented petitions to the same effect from the county of Derby, the result of a county meeting held on Saturday last, and which had received 2,568 signatures in the course of seven hours; from the town of Derby, containing 4,670 signatures, and including the names of the most respectable, wealthy, and intelligent inhabitants of the place; from Bakewell, signed by 2,000 persons (that which he had presented in the last session from the same place contained 400 less); from Wirksworth, and eighteen other places in the same county. The noble Duke begged to repeat, in the most emphatic manner, what he had declared on a recent occasion, that, so far from any reaction having taken place in the sentiments of the inhabitants of the county of Derby with respect to the Reform Bill, the conviction of its necessity, and justice and policy was, if possible, every day increasing.

The Marquis of *Londonderry*, on the petition from the town of Derby being laid on the Table, said, that he had been honoured with the presenting of a counter-petition signed by 100 persons, from the same place, though he knew nothing of the town or of the petitioners. The petition was accompanied by a letter from a most respectable solicitor who, he believed, was well known to the noble Duke, of the name of Moseley—Thomas Moseley.

The Duke of *Devonshire*.—I am not acquainted with any solicitor of the name in Derby, and the names of almost all the respectable inhabitants of the place are familiar to me.

The Marquis of *Londonderry* was, then, misinformed. The letter stated some facts which he thought it very important for the House to be in possession of, as throwing light on the character of the petitions presented by so many of their Lordships in favour of the Reform Bill. It stated, that the meeting was by no means unanimous in adopting the petition; that the Mayor refused to take the chair when it was proposed; that three-fourths of those who signed it had never heard it read; that one person boasted of his having signed it with his own hand ten or twelve times; and that another person amused himself by making a child of three years old hold the pen, and, as it were, sign it. It was a singular fact also, that many of those who had on a former occasion attended the county meeting for Reform, had absented themselves from that which was held on Saturday last.

The Duke of *Devonshire* was prepared for some such statement as that just broached by the noble Marquis. He had also a letter from the town of Derby—and that from a gentleman whose character was above all suspicion—with respect to the doings of the anti-reform party, if party the fragment of a section could be called—from which, with permission, he would read a short but expressive extract:—"Several attempts," says the writer, "have been made by the Anti-reformers here, to throw discredit upon the proceedings of a meeting at which they dared not show their faces; and, among others, they contrived by a paltry artifice to get a child's signature attached to the petition. But such pitiful tricks only defeat themselves." This showed that he was not wholly unprepared for the noble Marquis's statement. The writer stated, that the child's signature was perpetrated in consequence of the individual who had the guardianship of the petitions having been taken ill—an unfair advantage being then taken of his absence. This simple statement of the fact, he believed, was enough by way of showing the value of the noble Marquis's new correspondent's assertions. And now let their Lordships for a moment look at the facts of the case, so far as they were an indication of the feelings of the inhabitants of Derby in favour of Reform. The petition which was intrusted to him on a former occasion, and which he forebore presenting, because it was agreed to during the existence of the late Parliament, had 3,000 signatures; that which he now presented, and which of course spoke the existing feeling, was signed by 4,670—no, 4,669—for he made the noble Marquis a present of the three-year old signature. The noble Marquis admitted, that he knew nothing himself of the county or town of Derby, and therefore could not take it upon him to assert from his own knowledge that a re-action had taken place against the Bill. "Now," continued the noble Duke, "I do know the county of Derby, and am well acquainted with the sentiments of the intelligent and respectable portion of its inhabitants with reference to the measure of his Majesty's Ministers, and I here, in my place declare, that one unanimous and enthusiastic feeling in favour of that measure pervades the whole county." He would have attended the late county meeting from a feeling of duty; but that he thought, as the petition was addressed to that branch of the Legislature of which he was a Member, it would be more becoming in him to stay away, so as not in any way to countenance the notion of undue interference. The feeling of the people of Derby, he repeated, was unanimous in favour of the Bill.

The Earl of *Mulgrave* could not help congratulating the noble Marquis on his improvement in an art on which a noble Earl had, on a former occasion, extolled his merits—the art, namely, of discovering a mare's nest. The present far exceeded any exploit of the kind in which he had before signalized himself: for the noble Marquis first admitted, that he knew nothing of the county of Derby—that his correspondent was also unknown to him—and that, while the petition presented by the noble Duke contained 4,670 signatures, that which was intrusted to him had not more than 100; and yet the noble Marquis contended that his petition should be received as the expression of the inhabitants at large!

The Marquis of *Londonderry* did not think the ridicule of the noble Earl candid, after his declaration that he made his statement not on his own authority, but on that of a gentleman whom he had named. The main points of that statement had been admitted by the noble Duke, who, moreover, had not stated the name of his correspondent.

The Duke of *Devonshire:* The name of my correspondent is Mr. Joseph Strutt—a gentleman whom every person acquainted with the town of Derby would at once admit to be, perhaps, the most respectable, as he is certainly the most wealthy inhabitant of the place.

The Marquis of *Londonderry* then proceeded to read an extract from Mr. Moseley's letter, in order to shew that Mr. Strutt's son, Mr. Edward Strutt—[The Duke of *Devonshire:* He is the nephew], was opposed to the Bill. He admitted that the counter-petition was not numerously signed, but he appealed to the noble Duke, whether the petitioners were not the most wealthy and respectable inhabitants of Derby?

The Duke of *Devonshire:* Certainly not. The petitioners are very respectable persons, but they are not residents of Derby; all the leading and most respectable inhabitants of that place have signed the petition in favour of the Bill which I have just presented.

The Marquis of *Londonderry* must bow to the noble Duke's superior local knowledge, not being himself competent to offer an opinion on the matter. He only performed what he felt to be a duty, in stating what was represented to him to be the fact, and was not further responsible. The noble Marquis presented the counter-petition, signed by about 100 inhabitants of Derby, praying their Lordships to preserve unimpaired the institutions which our ancestors had handed down to us.

Petitions laid on the Table.

The Earl of *Sefton* said, that the first petition which he should present to their

Lordships in favour of the Reform Bill was from the great and important town of Liverpool, and was signed by 17,600 of the inhabitants of that wealthy and influential place. The petitioners stated, that it was their firm conviction, that on the passing of that Bill the safety and welfare of the country mainly depended. There were two circumstances connected with this petition with which their Lordships should be acquainted, as they afforded a tolerable proof of the feeling in Liverpool in favour of the Reform Bill. The first was, that this petition had been unanimously adopted at a public meeting of the inhabitants of Liverpool, regularly convened, and held in one of the squares of that town; and the second fact was, that out of the 800 subscribers to the Exchange Rooms (the principal place of resort for the merchants in Liverpool) 600 had put their names to this petition. It might be safely taken, therefore, as expressing the opinion of the inhabitants of Liverpool on this important question.

The Marquis of *Salisbury* did not at all wish to impugn the respectability of the petitioners, at the same time that he wished to know from the noble Lord, what was the extent of the population of Liverpool? Of course, all the inhabitants of Liverpool had not attended the meeting at which this petition was adopted.

The Earl of *Sefton* said, it would have been impossible for the whole population of Liverpool to attend the meeting at which this petition was adopted, but that meeting fairly represented that population, as it had been regularly called and held in pursuance of public advertisement. As to the extent of the population of Liverpool, the noble Marquis was quite as well informed on the subject as he was.

Lord *Holland* said, that this petition had been adopted at a public meeting regularly convened, and as no one appeared there to oppose it, it was to be taken as expressing the opinion of the majority of the inhabitants of Liverpool, for "*de non apparentibus et de non existentibus eadem est ratio.*"

The Marquis of *Salisbury* merely wished to know whether the petition was represented as speaking the opinion of the whole town of Liverpool.

Petition laid on the Table.

Lord Dacre presented similar petitions from the Inhabitants of the county of Hertford, numerously and respectably signed by the freeholders of that county; from the Inhabitants of the borough of St. Alban's, in the same county; from the burgesses and other inhabitants of the borough of Sudbury; from the Inhabitants of the town of Wisbeach in Cambridgeshire; from the Weavers of the town of Perth; and from the Inhabitants of the town of Hertford, numerously and respectably signed.

The Marquis of *Salisbury* said, that he had been intrusted with a petition from the town of Hertford, from by far the greater portion of the wealth and respectability of that town, praying their Lordships not to pass this Bill into a law without such modifications in it as should remove the various objections to its different clauses. He felt bound in fairness to state, that this petition had been proposed at the public meeting which adopted the petition just presented by the noble Lord, and that it was rejected by the majority at that meeting. At the same time he would again assert, that all those who had signed it were persons of station and respectability in the town of Hertford. At the meeting of the county of Hertford at which the county petition just presented had been voted, he believed that not more than 100 freeholders attended.

Lord *Dacre* said, that not having been at the county meeting, he could not state what was the number that attended there, but, judging from the number of signatures to the petition, he should suppose that the meeting had been a respectable one. In the course of a day and a half, one-third of the freeholders of the whole county of Hertford had put their names to the petition. With regard to the counter-petition from the town of Hertford, he was aware that there was such a petition; he had not heard that it was brought forward at the public meeting which had been held of the inhabitants of that borough, but he could vouch for the respectability of the persons who had signed the petition which he had the honour to present, and who, he believed, were the same persons from whom the noble Marquis had recently sustained a defeat.

The Earl of *Mulgrave* bore testimony to the respectability of the signatures attached to the petition from Hertford in favour of the Bill. At the same time, he wished to ask the noble Marquis, if his petition was signed by more than two of the Corporation. He had received information that the persons who had signed it were supposed to be under the influence of the noble Marquis.

The Marquis of *Salisbury* re-asserted that the names to the counter-petition from Hertford were most respectable, although he was ready to admit it was chiefly signed by tenants of his. He must complain, however, that the King's name had been most unconstitutionally used in that place to promote the feeling in favour of the Reform Bill. But he was scarcely surprised at seeing such a use made of his Majesty's name, when he found the first Minister of the Crown doing precisely the same thing in that House. They were told, that the King had given his sanction to this measure; no doubt the King had sanctioned the bringing forward of the question; but it was a most unconstitutional thing for a Minister of the Crown to come down to that House and to tell them, that the King had given his sanction to a measure which still awaited their Lordships' consideration.

The Duke of *Sussex* said, that the noble Marquis had quite mistaken what had fallen last night from the noble Earl at the head of his Majesty's Government. The noble Earl merely referred on that occasion to the words in his Majesty's Speech, submitting this question to the consideration of the Legislature, and what he then said could not at all bear the meaning which the noble Marquis attributed to it.

The Marquis of *Bristol* said, that if their Lordships were pledged to Reform, they were not pledged to this Bill, which was nothing more or less than a complete and sweeping revolution. He would assert solemnly, in the face of Heaven and earth, that rather than give his assent to it, he would consent to lay his head on the block.

The Duke of *Richmond* wished to know whether the noble Marquis opposite—he did not allude to the noble Marquis who had just appealed to Heaven and earth—but to the noble Marquis below him (the Marquis of Salisbury); he wished to know whether that noble Lord meant to say, that his noble friend at the head of the Government had, in his speech last night, made use of the King's name in the shape of a threat towards that House?

The Marquis of *Bristol:* If the noble Duke presumes to give me a lecture, I will give him a more severe one in return. The words "Heaven and earth," which fell from me, were spoken in solemn seriousness, and did not form a fit subject for levity. I repel his attack with the utmost indignation that I can possibly express.

Lord *Holland* was at a loss to know what Heaven and earth had to do with this Bill. His noble friend, the noble Duke, merely wished to know what meaning the noble Marquis (the Marquis of Salisbury) meant to attribute to the expressions which had fallen last night from the noble Earl at the head of the Government.

The Duke of *Richmond* said, that when he rose he did so for the purpose of putting a question to the noble Marquis (the Marquis of Salisbury) and not to the noble Marquis above him (the Marquis of Bristol.) It was far from his wish to say or do any thing uncivil or uncourteous to that noble Marquis, either in that House or out of that House. Indeed, he was not, he hoped, in the habit of acting in that manner towards any noble Peer, and he was sorry that the noble Marquis should have lost his temper in consequence of a misapprehension of what had fallen from him. The noble Marquis talked of repelling his observations with indignation. If there was one thing beyond another on which he prided himself, it was upon never losing his temper in that House. He would not be provoked to do anything towards the noble Marquis, or any one else in that House, that he ought not to do. Again, he repeated, that he should be sorry to say anything uncourteous towards the noble Marquis, at the same time that he begged that noble Marquis would in future keep his indignation to himself.

The Earl of *Falmouth* contended, that the noble Earl at the head of his Majesty's Government had told them last night that they must have this Bill, or no Reform at all.

Lord *Holland* said, that the noble Earl at the head of the Government never said that the Bill should undergo no modification whatever in the Committee, nor did he mean to say so. All that he said was, that if this Bill should be rejected, he would never propose a less extensive measure of Reform. His words never meant that this Bill was not to go through the usual course of all Bills that had to pass through Parliament.

Lord *Kenyon* deprecated incidental discussions of this kind on the presentation of petitions, and begged to suggest the propriety of limiting explanations to one noble Lord on each side of the House, on the presentation of petitions.

The Earl of *Albemarle* presented petitions in favour of Reform from Thetford and Wymondham, in the county of Norfolk. The noble Earl said, that he would take that opportunity of making a few observations to the noble and learned Lord opposite, respecting the petition from Norwich, presented to him by that House on the preceding night.

The Earl of *Eldon* gladly availed himself of the opportunity presented by the noble Earl, of acknowledging an error into which he had unintentionally fallen, in stating the number of signatures to the Norwich petition against the Reform Bill. He had told their Lordships that there were 13,500 signatures to the petition, instead of 3,500. He had that morning carefully inspected his instructions, and he was bound to say, that no fault could be attributed to any body concerned but himself.

The Earl of *Albemarle* said, that the explanation of the noble and learned Lord was quite satisfactory, and he now begged to present a petition of an opposite character from the city of Norwich. He had it from a most respectable person, Mr. Anthony Hudson, that he never saw the Common-hall so numerously and respectably attended as on the occasion of voting that petition. The petition was subscribed by 11,750 persons in two days; whereas the petition to the Commons had no more than 6,100 signatures.

The Duke of *Newcastle* presented a petition against the Reform Bill, from certain of the Burgesses of the town of Nottingham. The noble Duke was instructed to state that a great proportion of the inhabitants of Nottingham was adverse to the measure brought forward by his Majesty's Ministers.

Lord *Holland* said, that he had presented a petition signed by 13,000 of the inhabitants of Nottingham, and a petition almost unanimously agreed to by the Corporation of Nottingham, praying that their Lordships would pass the Bill now before the House. He thought it bad taste to scrutinize too narrowly every petition that might be presented, but when, in the face of these two petitions from the town of Nottingham, the noble Duke asserted, that the people of that town were adverse to the Bill, he thought that he was justified in asking the noble Duke upon what authority he made that statement. If it was upon the authority of the petition just presented, he begged to know whether any one opposed that petition; and, if no one did oppose it, whether it was agreed to at a time and place which gave the inhabitants of Nottingham, who were favourable to the measure, an opportunity of declaring their sentiments upon it?

The Duke of *Newcastle* said, that the petition he had presented was merely a petition of the undersigned. When he said that the people of Nottingham were adverse to the measure, he stated not his own opinion, for he had no means of forming an opinion upon the subject, but the opinion of the petitioners. He was far from desiring to cast any slur upon the petitions which had been presented from Nottingham by the noble Baron. He held in his hand another petition, to the same effect, from Worksop; but as there was an informality in it, he could not present it.

The Duke of *Norfolk* said, that he had last night presented a petition from Worksop, in favour of the Bill.

The Duke of *Newcastle* was informed, that that petition was signed chiefly by Catholics and Protestant Dissenters.

The Duke of *Norfolk* said, that the first signature to the petition happened to be that of the Vicar of Worksop.

The Duke of *Newcastle* said, he believed the Vicar was the only member of the Church of England who had signed it.

The Duke of *Norfolk:* That was another mistake of the noble Duke. It was signed by other members of the Church of England.

The Marquis of *Lansdown* said, that the first petition he had to present was from the county of Wilts. It had been agreed to at a county meeting, which was most numerously and respectably attended, and among the persons present, and concurring in the petition, were many who had not formerly been Reformers, but who had now become convinced of the necessity of Reform. He thought it necessary to state to their Lordships, that he had taken no part in calling this meeting, and that he had not even given an opinion as to the propriety or the impropriety of calling such a meeting. This, as well as all the other petitions which he had to present, were specifically in favour of the Bill, and none of them prayed for any other advantages than those which the Bill conferred. The noble Marquis presented twenty petitions to the same effect, from Trowbridge, Chippenham, Swansea, East Stonehouse, Leamington, Devizes, and other places.

Lord *Rolle* referring to the petition from Stonehouse said, he thought it might be convenient if noble Lords who had petitions to present from places with which other noble Lords were connected, would give information of such petitions to the latter. He must say, that he thought this was not asking too much. Now he had made no attempt to get up petitions; but others had come into his neighbourhood, and bringing with them petitions in favour of Reform, got about 100 or 200 persons, whom he employed, and who were under the greatest obligations to him, to sign those petitions.

Lord *Clifford* said, that after what the noble Baron (Rolle) had said last night, in contradiction to the representation of the High Sheriff of Devonshire, he was sure the noble Baron did not stand in need of previous notice to enable him to make observations upon any petition.

Lord *Rolle* said, that he had only spoken upon the information of others respecting the meeting of the county of Devon. He was told, that the meeting was called at twelve o'clock, and that at that hour not more than fifty persons were present. The High Sheriff, therefore, did not appear till half-past one o'clock, and even then, after every exertion had been used, a greater attendance of persons than 500 in number could not be procured. From these circumstances he inferred that the petition did not represent the opinion of the county.

The Earl of *Morley* thought it was hardly worth while to debate the Devonshire petition now. This discussion appeared to him to have arisen from the noble Baron (Lord Rolle) near him being jealous that the East Stonehouse petition had not been intrusted to him; but he thought the petitioners had acted more wisely in sending it to the noble Marquis.

Lord *Rolle* denied that he was jealous of the noble Marquis.

A *Noble Lord* begged to know why the noble Baron (Lord Rolle) had not attended the meeting in Devonshire? If the noble Baron had done so, and talked the matter over there with the freeholders, he must have come to another opinion, and he might have saved a little of their Lordships' time. What he and others who called that meeting wanted was, to excite the noble Baron and his friends to attend; but they had failed in that part of their object. It was well, however, that the noble Baron and his friends had stayed away; for if they had met the Reformers fairly in the field, they would have been completely floored.

Lord *Wharncliffe* said, that there were still on the list the names of thirty Peers who had petitions to present, many of which petitions could not be presented without being accompanied by some observations. He would suggest, therefore, that as the hour was late, they had better proceed with the debate at once, and let the remainder of the petitions stand over till to-morrow.

The Marquis of *Lansdown* said, that it was of the greatest importance that the petitions of the people should be received. If noble Lords would occupy as little time as possible in presenting the petitions intrusted to them, the list would be speedily exhausted.

The Earl of *Winchilsea* presented petitions from Sandwich, Dover, and Deal, praying that their Lordships would use their high prerogative and reject the Reform Bill, which, besides producing the most prejudicial results, would entirely disappoint the expectations of its supporters. The noble Earl said, that he was ready to admit that there had been, some time ago, a strong feeling in the county of Kent in favour of the Bill, the whole Bill, and nothing but the Bill. If his information, however, were correct, that feeling had greatly subsided. As to the late meeting of the county, he could state, upon the authority of a gentleman upon whose veracity he could safely rely, that at the opening of the meeting there were not more than 800 persons present; and that at the close of it, there were not more than 3,000 present. Now he recollected a meeting of the county, not a very long time ago, at which there were, he verily believed, at least 30,000 persons present. It had been stated by the noble Earl opposite (Earl Grey) last night, that there were only twelve dissentients to the petition agreed to at the late public meeting of the county—but that was not a full meeting. The county would not meet, and he would tell the noble Earl why not. It was because a most important petition of theirs had been treated by the House with neglect;

and he had been told by hundreds—he might say, by thousands—of the Yeomen of Kent, that until they had some evidence that their petitions would be received with the consideration and respect they were entitled to, the Yeomanry generally would not again meet or ask any thing at the hands of their Lordships. He could state, too, that at a public meeting the other day at Sandwich, a petition against the Reform Bill was agreed to, although Sandwich had sent to Parliament two Members who were pledged to the Bill, the whole Bill, and nothing but the Bill. "I trust in God," said the noble Earl, "that I shall this night have an opportunity of stating the grounds upon which I shall vote against this measure."

Petition laid on the Table.

Parliamentary Reform—Bill for England — Second Reading — Second Day.] On the Motion of the Earl of Winchilsea, the Order of the Day for resuming the Debate on the Second Reading of the Reform in Parliament (England) Bill was read.

The Earl of *Winchilsea* said, he could not consent to give a silent vote upon the present occasion, for whether he considered the vast importance of the Bill which had been placed on their Lordships' Table, the second reading of which was then the question to be discussed, or whether he considered that if a false step of legislation upon the subject were once taken, that it could never be retraced—in which ever way he regarded the subject, he felt it to be his bounden duty openly to declare his sentiments to their Lordships. He admitted that there were abuses in the present system of Representation, but when he considered the immense injury which might be done in an unwise, unjust, and injudicious attempt to correct those abuses—when, in fact, he considered that the just balance of power which had hitherto so happily existed between the three estates of the realm might be destroyed, he owned he felt deeply the great responsibility which he incurred by making any attempt to alter or to modify the Constitution. This was the sentiment he felt, but, as he had applied his mind honestly and sincerely to the consideration of the subject, he trusted that the conclusions he had come to would not prove altogether erroneous or unacceptable to the country. He had no private interest to consult; he knew of but one party, and that party was his country To the interests of that country he wa devoted, and he would earnestly and fearlessly consult them on the present and o every other occasion. He approached th consideration of the subject perfectly unbiassed by any feeling of private, or personal, or party interest; for he had n parliamentary connection with any boroug which would be affected by the Bill, an he had no attachment to any party but th one great party he had already name He approached the question, too, unawe by intimidation—whether that intimidatio was attempted to be exercised by unprincipled and revolutionary individuals, or b the insolent, malignant, scurrilous, an tyrannical portion of the Press, which ha for the last six months had recourse t every species of abuse, falsehood, threat and virulence, for the purpose of lowering the aristocracy in the eyes of the community, and frighting it from the honest an wise exercise of those privileges, which whether considered by their Lordships a Peers of Parliament or as Englishmen were dear beyond all price, and at al hazards ought to be maintained. Th privileges of the House of Lords were part, and a vital part, of the Constitution and if their Lordships could be induced by the vile means which had been adopted to limit or to sacrifice them, then the would be subjected to a power, the tyrann and oppression of which were more odiou to the true lover of liberty, than was th domination of the greatest despot whos rule ever cursed society. Yet to tha tyranny and that oppression he was read and prepared to oppose himself, and if al its virulence was directed against him h cared not, for he was convinced he shoul be supported by every man in whos bosom there was a virtuous, moral, o religious feeling. He should be supporte by all whose support or countenance wa honourable or creditable, and thus assisted he would oppose himself to that levellin spirit, which, not content with commo calumny, had endeavoured, foully an basely, to turn the stream of public opinio to the prejudice of an illustrious female— one who moved in the very highest ran of life, and the distinguishing characteristi of whose conduct was, that it had secure to her the admiration and the love of al good and virtuous minds. Such was th character of the illustrious female assailed and assailed, too, from no other reason and upon no other ground, but because it was asserted she had used her rights in such a way as militated against the progress of this measure. Would to God he knew the vile atrocious slanderer! Would to God he knew the anonymous slanderer who had in so cowardly and base a manner insulted and traduced a virtuous and exalted woman; and if he did, either the humble individual who then addressed their Lordships, or that blot to manhood and to human nature should never again see the light of day. This was not a private question, but it involved the dearest and the best interests of the country, and as the laws of that God whom he adored and served justified his raising his arm in hostile strife to resist the invader of his country, so would they justify him in calling to a fatal account the miscreant who would stab by slander and abuse, the dearest interests of virtue and of truth. The front of the offence committed by the illustrious individual who had been traduced was, that by her uniform excellence of character she had acquired a large and powerful influence over the mind of the country, and that influence was wisely directed to a maintenance of those virtues of that Constitution and of that religion that had secured to England all its happiness and all its prosperity. When individuals in exalted stations thus conducted themselves, their welfare and their protection became a nation's nearest duty, and every one who loved virtue or his country's interest was bound to stand forward in their defence. He repeated, that he approached the consideration of the question under discussion uninfluenced by any private or party feelings; and he might also say, and with perfect sincerity, he approached it with a heartfelt wish that he might be enabled to take that course which was the best calculated to benefit his country, and to transmit to posterity that Constitution which was the best legacy the present generation could hope to leave to their successors. The Constitution had been impaired by an abandonment of some of those principles which had given it strength, but in that circumstance he saw no reason for its utter prostration, convinced as he was, that it was to the system of government the country had so long experienced that it owed the enjoyment of its civil and religious liberties. That Constitution was now assailed. It was attacked on the one hand by English radicals, and on the other by Irish demagogues and Popish priests; and their Lordships were bound to see that no new means were given to its foes by a destruction of the balance of power in the three estates of the realm. It was in this spirit that he should investigate the measure before their Lordships. He should address himself but briefly to the whole subject. In the first place he should inquire whether in the lapse of years some defects or abuses might not have crept into the system of Representation which required a remedy. In the second place, he should inquire whether any new interests had sprung up in the country, and arrived at such a magnitude, or were possessed of such a character and nature, as to require protection and assistance through the medium of direct Representation. And in the last place, he should consider whether the Bill proposed to their Lordships was calculated to remedy the abuses he admitted to exist, and to supply that new Representation that must be confessed to be desirable if upon inquiry it appeared that any new interests had sprung up; or whether it would not be desirable to adopt some other plan for remedying the defects complained of, under a conviction that the Bill as it stood was calculated, and indeed must from necessity in its operation destroy the just balance of power which was essential to the existence of the Constitution. These were the considerations he proposed to enter upon, and if it should appear that this Bill, as proposed by the noble Earl, would destroy the just equilibrium in the different branches of the Legislature, as upon the maintenance of that equilibrium depended the continuance of the Constitution, he would boldly and fearlessly give it his direct negative. With respect to the first point to be investigated he candidly owned he had long entertained the opinion that too much political influence had fallen into the hands of a few particular persons through the existence of decayed boroughs. Whatever might have been the importance attached at one time to many of those boroughs, however great might have been their trade, their wealth, or their consequence, it was now a matter beyond the possibility of dispute that many of them were not only decayed, but so decayed as to have no interest of their own to protect or to maintain. This was the fact, and he had long been of opinion that it would be beneficial to the country if that influence were reduced. He contended that the parliamentary influence derived from those boroughs placed a preponderating power in the hands of the Ministers which ought to be checked. It was a power which enabled a Government to carry a particular measure in opposition to the decided wishes, and reasonable and constitutional wishes, of the people. It was that influence which enabled the Ministers of the day to carry the Catholic Question in opposition to the voice of the country. The Minister who introduced that measure into the other House of Parliament well knew, and he even had his authority for stating, that if a general election had taken place, so strong was the feeling of the country against the Catholic Bill that it could not have been carried. This it was, that had induced much of the present demand for Reform. The people wanted not the overthrow of the Constitution, but seeing that abuses had crept into the Representation, which enabled a Minister to carry measures opposed to the great majority of the country and to the spirit of the Constitution, they required that those abuses should be corrected. Noble Lords opposite were now most tender of the right and the influence of petitioning, but they had pursued a very different course when the Catholic Question was under discussion. Then the Petitions of the people had been disregarded; they had been thrown aside without consideration or respect; and the consequence was, that a vast number of persons had determined upon not addressing their Lordships, or Parliament at all, until the right of petitioning was not merely recognised, but respected, by the prayers of the Petitioners being attended to. The people of this country did not require the sacrifice of any particular interest or the destruction of the privileges of any constitutional order, but what they in reality required was, that there should not be suffered to exist a preponderating power which was foreign to the Constitution, and gave a Minister the means of defeating and opposing the wishes of the country. And when he heard of individuals ostentatiously offering up their boroughs on the altar (as it was called) of patriotism, he could not but question their motives, and watch the subsequent proceedings. Respecting those motives he had no manner of doubt, and if there were any who believed them to be disinterested, he referred to their consideration the new Marquisates and other honours which had been showered upon the persons making the pretended sacrifices. Disinterestedness in such conduct there was none, and the country could not find in it any compensation for the injuries it had suffered. These were among the reasons by which he was induced to desire that the decayed boroughs might be merged in the general property of the country, and not left at the command of the Minister of the day. He would then proceed to the consideration of the next point, which was as to whether or not any new interests had sprung up which required and were entitled to the protection derived from direct Representation. Upon this branch of the subject he had no doubt whatever. Any person who looked at the great manufacturing towns which had in modern times grown up, and considered their different and peculiar interests, could not entertain a doubt as to the propriety of those interests being guarded by particular representatives elected for their preservation. Many cases might occur in which a Minister might propose a measure acceptable, as it applied to the mass of the community, but most injurious as it applied to the particular interests of some single town or some particular manufacture; and unless that town or manufacture were adequately, or, he ought to say, directly represented, it might be sacrificed through ignorance. Take, for instance, a recent proposition, to impose a tax upon raw cotton. If that tax had been adopted, a great and a new interest would have been most seriously injured; and yet the injury could only be pointed out by those familiar with the particular manufacture; such considerations made it plain that it was desirable and necessary that all new interests of importance and value should be provided with representatives. If that conclusion were correct, it necessarily followed, that representatives should be given to those great towns in which particular manufactures and those newly-created interests were chiefly situated, and where their peculiarities and wants were best understood. He therefore could but remark, that the late refusal to transfer the franchise from corrupt and convicted boroughs to large towns, in which there were confessedly and notoriously new interests, was most injudicious, most unjust, and most impolitic. He then came to the third point he proposed for consideration. With respect to those parts of the Bill which went to the disfranchisement of out-voters and to the reduction of election expenses, in principle they had his cordial approval; but he must say, he entertained great doubts as to the efficiency of the execution of the plan. He did not believe, that in many instances the regulations respecting out-voters would prove upon trial at all satisfactory; and he also entertained considerable doubts as to whether election expenses would be so greatly reduced by the provisions of the Bill as its framers appeared to imagine would be the case. He had already stated that he approved of that part of the Bill which gave to great towns, in which new interests had sprung up, direct Representation. But there his commendation must cease. He thought the disfranchising clause went too far. He did not wish to be understood as contending that there ought to be any increase in the numbers of the House of Commons; he thought, on the contrary, there ought not; and it was not necessary there should be for the purpose of putting into practice the views he entertained with respect to the disfranchising clause and giving Members to new interests. To make room for these new Representatives some of the decayed boroughs must undoubtedly be disfranchised, but there was a vast difference between such a necessary step and the wanton and sweeping act of disfranchisement proposed by the Bill. Such a course as that which he now pointed out would be satisfactory to the country; for while it properly provided for the protection of new interests, it would also pay attention to the preservation of that balance of power which was essential to the welfare and the prosperity of the country. And this led him to notice one of the principal and most fatal of the objections which he had to the Bill. He had stated that he was fully prepared to give to all great towns which had new and unrepresented interests Representatives for their protection, but he was not at all prepared to give his support to a measure which gave Representatives to towns and districts which had no particular or new interests whatever to protect. To interests he was prepared to give Representatives, but he never could consent to give Representatives to mere masses of population which had no manufactures or special interests to protect. He objected, therefore, to giving Representatives to such places as Woolwich, Greenwich, Deptford, the Tower Hamlets, Finsbury, and Marylebone. He had long thought most seriously upon this subject, and he was thoroughly convinced that there was nothing whatever in the spirit or the practice of the British Constitution, as hitherto known, which favoured the notion that Representation was or ought to be founded upon numbers. This was not merely his own opinion, but it would be found upon inquiry that the most intelligent of the merchants, bankers, and traders of London attributed a vast deal of the success of this immense city in commercial pursuits, to its freedom from the continual excitement necessarily arising out of frequent political elections. It was idle to say, that large towns, merely as large towns, required representing, for they were adequately protected by the mass of the Representatives; and he contended that a great portion of the wealth and consequence of London and its neighbourhood had resulted from the little interruption it had received from political contests. Let their Lordships compare the state of London with the state of Paris, and the force of his argument would at once be illustrated. In Paris there was political election enough; that capital had, at the least, an abundance of Representatives; and yet what was its condition? Let him not be told that they were not to refer to other countries. When the navigator saw another vessel wrecked upon a rock he must be blind indeed if he ran his own in a similar direction. He called upon their Lordships then to look at the situation of Paris, with all its Representatives and its distracting elections. In Paris there was a stagnation of trade, a dearth of commercial activity, and confidence, for the inclination and mind of the community had been directed to other topics; while in London a system of commerce, altogether unprecedented in magnitude, in importance, in regularity, and in its results, had been happily established and was in full operation. He had thus stated those principles of the Bill of which he approved, and those to which he objected, and he would then proceed to notice some particular clauses that required especial attention. If he had not considered the objections he had already stated to the Bill to be insuperable, there were still an abundance of others to regulate his conduct with respect to it. Their Lordships had been told that the provisions respecting the qualification for votes for the counties were made with a view of protecting the landed interests. He viewed them in a very different light. He objected especially to the admission of persons renting so low as premises of the value of 50*l.* a year being admitted to the county constituency. What would be the effect of such a qualification in the neighbourhood of large towns, of the metropolis, and upon the county to which he had the honour to belong? Let their Lordships look at its effect in Kent. Such towns as Margate, Tonbridge Wells, and the neighbourhood of the metropolis would furnish a great proportion of the constituency, and their qualification would not be of a nature to prove, that they had any connection whatever with the landed interest, or that they were at all permanently connected with the county. He objected therefore to the proposed constituency for counties. Then with respect to the clause which gave the right of voting in boroughs to 10*l.* householders, he thought the qualification too low. He thought so when the Bill was in its original shape; and it was only proposed to give the right of voting to *bonâ fide* annual tenants, upon an annual taking of a house of the yearly value upon the parish books of 10*l.*; but if that was his opinion, his objections had necessarily been greatly increased by the alterations which had been made in the original clause. As the Bill at present stood it admitted weekly tenants paying 3*s.* 10*d.* per week, who had occupied a house for the space of twelve months, to the franchise. Would any one be found to contend that that class of persons were independent? Surely not. They would be in the hands of those persons who chose to give them their qualification, or they would be ruled by the worst enemies of the country. Talk of a weekly payment of 3*s.* 10*d.* as rent giving to a person the right of voting! Why, there was scarcely a man, however dependent or poor, that did not pay that sum, and this provision of the Bill, therefore, while it pretended to be founded on a proper qualification, almost amounted to universal suffrage. If that was his honest conviction, he asked to what conclusion must he come with respect to the Bill? Again, he reminded their Lordships, that if they took a false step in this most important and vital matter, that step could never be retraced. He was ready to allow, that unconstitutional power given to the Crown might be resumed; he was ready to allow too that unconstitutional power given to such a body as their Lordships might be resumed; but he defied any one existing to quote a single instance from the volume of history in which power once given into the hands of the people had been returned by the people. The conclusion, then, he came to was this, that if this clause were adopted, and the low qualification proposed admitted, the necessary consequence would be, that the people would be invested with a preponderating power, which, judging from the invariable result of all similar experiments, would lead to the destruction of the Constitution. But he might be told, you agree to certain principles in this Bill, and yet you reject it altogether. He did no such thing. He came forward and fairly stated his views. He did not in general terms oppose the Bill, but he opposed it on specific grounds, and gave his reasons for that opposition. He was favourable to Reform, and while he opposed much of this particular measure he suggested a plan which he in his conscience believed would be preferred by nine-tenths of the county to which he belonged, to the ill-digested, crude and unconstitutional scheme propounded to their Lordships by the present Bill for their acceptance.—He objected to the measure upon an examination of its intrinsic merits, and his feeling in opposition to it was strengthened by the unfair, improper, unconstitutional, and illegal means which had been had recourse to in order to support it. The total want of confidence too in his Majesty's ministers, a want of confidence arising not out of prejudice, but the necessary consequence of their conduct, added to his distrust. He knew that he stood there upon the brink of destruction, and he felt the danger of his position, but he would do his duty to the best of his judgment. He said this in honesty and in sincerity, and, so doing, he would vote against the second reading of the Bill. He would not vote against it because it was a measure of Reform, but because while it professed to remedy abuses, it destroyed the Constitution. It had been asked, "What will the Lords do?" He would answer that question. The Lords would honestly, constitutionally, and fearlessly do their duty. They would do their duty to their King, to their country, and their God—to that King for whose welfare they were anxious, and from whose bounty they had derived so many benefits—to that country with whose interests their own welfare was bound up, and for whose happiness and whose liberty they would readily sacrifice their existence—and to that God who, in his almighty beneficence, had bestowed greater blessings upon this country than had ever before been granted to a nation, and who would still protect and aid them if they were but true to themselves and strove to merit his assistance. Let their Lordships look to the examples which surrounded them. It would be the worst of blindness for them to shut their eyes to what had occurred and what was occurring. Let them look to that country that was the curse of the peace of Europe. Let them look to that country in which a principle was contended for and admired that was utterly incompatible with the existence of society, destructive of every thing like true liberty, and leading only to one vast and monstrous system of anarchy and confusion or miserable and unredeemed despotism. It would be the worst of blindness for their Lordships to shut their eyes to the fact, that the spirit which had been the bane of France, and had tormented Europe, had reached the shore of this country, and was making strides that called for resolute opposition. It was high time not merely to watch the progress of that desolating spirit, but to check and to curb it. The ship was in danger, and she had been deserted by those who ought to have proved her ablest hands; but let the crew still on board do their duty honestly and zealously, and the gale would yet be weathered, and the bark once again be moored in safety. What was it that gave to that House and would secure to it the respect and esteem of the community at large, and without which that House was nothing? Was it their Lordships rank or their wealth that gave them their importance? No; but it was the honest discharge of those important duties which were intrusted to them by the Constitution. If, then, any inducement were required by their Lordships to bring them to an honest and sincere discharge of their duties, let that thought operate. And if any further stimulus should be required, he would implore those among them who derived their titles from a long line of honourable ancestry to reflect upon the glory of their predecessors, and by their conduct to prove that the blood that flowed in their veins was still pure and noble as the source from which it sprung. To those who had earned their distinction by an honourable and a laborious or a gallant and a brilliant discharge of great public duties he would say "bear still in mind your old course, and to steer right on to honour." They lived in perilous times; but, though the times were full of danger, there was an abundance of example to guide them. Warning upon warning was before them, and ardently did he wish their Lordships to avail themselves of the fruits of experience. He could not pretend to cope with the noble Earl (Grey) in historical learning, but he must be allowed to say that many of the occurrences alluded to by the noble Earl had produced a very different impression upon his mind from that which it appeared they had made upon the mind of the noble Earl. The noble Earl said, that the aristocracy of France were destroyed through their obstinacy, but he had always believed, and still believed, that the aristocracy of France fell because it bowed itself before democracy. Again, the noble Earl had said, that obstinacy led Charles 1st to the scaffold; but he had always understood, and history had recorded it as a fact, that the destruction of that Monarch was owing to an act of weakness upon his own part. But allusions to history as well as to the measure itself were not sufficient for the noble Earl. He had appealed to the Bench of Reverend Prelates, and demanded their support. He (the Earl of Winchilsea) would also address himself to those reverend Prelates, and he would conjure them to remember that they were the Representatives of the Church of England, and that the interests, perhaps the existence, of that Church were now at their disposal. He would say to them, be just and fear not, and, imploring them to adhere to those who in the hour of danger had sustained and protected them, he should be confident of their support. But it was said, why vote against the second reading of the Bill? Let the Bill once go to a Committee, and there could be no hope of afterwards stopping it. He honestly and fairly admitted that there was a strong feeling in the country as to the necessity of some measure of Reform, but at the same time he must, in toto, disavow that the feeling of the country was in favour of "the Bill, the whole Bill and nothing but the Bill." He felt that he had intruded too long upon the attention of their Lordships, but there was still one point connected with the subject to which he could not help adverting. His objections to the Bill were fatal, but still he was a friend to Reform, and so much so that if a Bill corresponding with the opinions he had expressed were at that moment upon their Lordships' table it should have his support. He felt the difficulties, however, of the case. He was aware that such a measure could not originate in that House, but let it be brought in elsewhere, and he doubted not that the people of England, as well as the aristocracy of England, would receive it with approval and with gratitude. Such a Bill would maintain the balance of power, and tend to perpetuate the liberties of the country. Against this Bill, however, the second reading of which had been proposed by the noble Earl opposite, he must vote, from a rooted and honest conviction that, while it proposed to correct abuses, it would in reality destroy the Constitution, and with it the liberties and the prosperity of the country.

The Earl of *Harrowby* spoke to the following effect,*

My Lords: I owe it to your Lordships to apologize more particularly for offering myself to your notice at this moment, somewhat out of the ordinary course of debate, and when another noble Lord, so much more entitled to your attention, proposed to address you. But I felt that it was impossible for me to let this question go to a vote without expressing my opinion upon it, and I also felt that, unless I took a very early opportunity of speaking, the state of my health would oblige me to give up all hope of doing so at a later period of the night. I have, in the outset of the remarks which I consider it to be my duty to address to your Lordships, to claim your patient and indulgent attention—a favour of which I have much need at all times, but most especially on the present occasion. I have not been much in the habit of intruding myself on the attention of this House at any time, and for some years past I have hardly spoken on any question. When I finally retired, four years ago, from official situations, and almost from any interference in your debates, I had hoped that I should have passed the short remainder of my life, without witnessing any period of so great political excitement, as to compel me once again to take an active part in your deliberations. It is no light occasion which could prevail upon me to break through the silence which it was my wish to have observed. A deep and paramount sense of duty has alone induced me to come forward. If I have but little inclination to engage in any discussion, still less can I wish to engage in what must, I fear, be considered as a mock debate, since your Lordships have been told by the highest authority that you must yield —that you must pass this identical Bill, because the people must be satisfied—that they will not be content with any less efficient and extensive measure—and that, if you reject this Bill now, you will have perforce to pass a worse in a succeeding session. Such appeared to me to be the declaration of the noble Earl at the head of his Majesty's Government, in a speech which, after his repeated disclaimers, I will not venture to characterize as one of threat or menace, but by which, it is evident, from the very anxiety which he displayed to repel such an imputation, that he felt, unless his observations were qualified by such declarations, there was ground for your Lordships to apprehend that the deliberations of this House were intended to be overawed. This expression of my feelings on what has fallen from the noble Earl, I think I owe to your Lordships; but, having said thus much, it is my earnest desire to debate this question with as much calmness and moderation as any question can be debated which involves the vital interests of the Constitution of this country.

I could have wished that my strength had enabled me to reply last night to the speech of the noble Earl, while the arguments which he brought forward were still fresh in my memory. He has stated with perfect fairness what he considers to be the real situation of your Lordships on this question, and has admitted, that there is nothing in its nature to justify the suspicion that you will be actuated, in your decision, not by public, but by personal motives. He has also admitted, that the power of nomination to certain seats in the House of Commons does not belong to your Lordships as Peers—that it is a power attached to property and not to rank—that it is possessed by few amongst your Lordships, and is shared in nearly equal proportions by Peers and by Commoners. The noble Earl might have added, that, as far as the influence of the nomination boroughs could be traced in the divisions of the two Houses of Parliament, it would be found (so far, at least, as we can judge from the imperfect accounts of those transactions), that instead of these nominees being an united body, which, as it has been falsely alleged, is continually preying on the vitals of the people, they have been usually pretty equally divided between the two parties in the State; so that, even were the imputation well founded, the country has at least had the satisfaction (if satisfaction it can be called) of not having more than one half of these supposed harpies preying upon her vitals at one and the same time.

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* Printed from the corrected speech published by Roake and Varty.

I find, in a list which has been recently circulated in the country with great activity, my name inserted among the patrons of nomination boroughs, as patron of Tiverton. The noble Earl having thought it right to set the House *rectus in curiâ*, I hope your Lordships will excuse me if I trespass upon your attention for a few moments, to set myself *rectus in curiâ* as far as regards this sort of charge. Nearly a century ago, my grandfather being then, I believe, Solicitor-general, was introduced to that borough by the influence of Government, under the patronage of a great merchant, who, as such, had considerable weight in the Corporation. Whilst acting in his legal capacity he had an opportunity of doing them some service: this led to a great intimacy between him and the principal persons in the borough, and he sat many years in Parliament as one of its Representatives. The interest thus established descended to my father, and subsequently to myself, for, when I first came of age, I was elected Member. In 1795, on the death of my colleague, the Corporation, without any solicitation on the part of my family, proposed to choose my younger brother, who was at that time either just called to the Bar, or on the point of being called to it; but my father doubted extremely the policy of thus diverting him from his legal pursuits. He was, however, elected, and for the last six-and-thirty years the connexion has subsisted on the same footing, and has descended to my children. One old man recollected my grandfather—others recollected my father—all have known me, and my brother and my sons have been personally agreeable to the present electors. During the whole of this period, neither myself, nor any member of my family, has owned a house or an acre of land within 100 miles; nor is there a single elector who owes me a single shilling, or whose vote I can in any sense command. Indeed, money is quite out of the question, and I should have heard without the slightest degree of alarm, that two nabobs from India had gone down to canvass Tiverton, even though they had each 10,000*l.* in his pocket. The influence which my family has exercised in that borough was a personal influence, and though I do and ought to regret that I may not be able to transmit to my posterity the valuable legacy of such an ancient and hereditary friendship, still I know of nothing, either in my public or in my private character, which should lead your Lordships to disbelieve me when I declare that, had my influence there rested upon the narrowest and most permanent burgage tenure, instead of a personal, and of course a precarious connexion, it could not have weighed as a feather in the scale towards deciding my vote on such a question as this. My object in making this statement is not to free my own character from suspicion, but merely to illustrate the sort of connexion, so unjustly stigmatized, which other noble Lords may maintain with other boroughs.

The next topic in the speech of the noble Earl was a vindication of his own consistency. In different Houses of Parliament, from the first moment of his political life, he has unquestionably been an advocate for different degrees of Parliamentary Reform; but from what has repeatedly fallen from him, towards the latter period of it, I, as well as others, had been led to hope and to believe, that his ideas upon that question had been somewhat narrowed. I had thought that, since the zeal and warmth of youth had subsided, the noble Earl, in maturer life, had adopted notions of a less theoretical and sweeping character. He still denies all intention of proceeding upon abstract principles of right. The only right which he acknowledges, is the right of the people to be well governed. To that doctrine I cordially subscribe; and therefore I contend, that he who undertakes to form a new government for the people, is imperatively bound to show, not only that, under the existing system, they have been ill-governed, but also that, under that which he proposes, they will be better governed. If he do not show this, he is a subverter of that very right which he professes to maintain.

But, my Lords, has the noble Earl substantiated one or other, much less both of these propositions? No; they remain utterly unsupported by fact or argument. And it is not too much to affirm, that the feeble attempts which have been made to substantiate them, prove as clearly that they are untenable, as that we are indebted for our new Constitution, not to the application of the noble Earl's political maxim. or indeed of any sound principle of government, but to impelling forces from without, which, setting such maxims and principles at nought, and aiming recklessly at theoretical symmetry and ideal good, can urge us on to no other destiny than convulsion and ruin.

If my memory could serve, and the patience of your Lordships could endure, I could make the longest and the best speech that was ever made in or out of Parliament, against this Bill, without spoiling it by the admixture of a single thought or word of my own, merely by repeating the speeches and writings of those who are now its proposers or supporters. Do I say this because I wish to reproach any man for changing his opinion? No! I disdain to avail myself of a mere *argumentum ad hominem*. My cause can well afford to spare it. But when I consider the weight and authority of those persons who have both formerly and latterly maintained the principles which they now abandon, we, who it seems have been misled by their authority, have a right to demand of them, more than of any other persons, a full and satisfactory explanation of the grounds upon which they have changed their opinions. It is not a vague declamation on the rights of man (which have not, indeed, been introduced in this place)—it is not a laboured harangue upon the deficiencies of our present Constitution, or a loose panegyric (of which, by the bye, we have heard but little) upon the transcendent merits of the new one. It is not that which we demand, but a grave and statesman-like exhibition of those reasons which induce the proposers of this Bill to believe that another mode of government, to be established by this Bill, will be a better government for the people than that which has so long existed. This is the real question. This is the kind of statement which, as I contend, we have a right to expect from the noble Earl. The want of it is a deficiency in his argument, which the country could not anticipate, and of which it has a right to complain.

There is one reason, indeed, on which he has mainly relied, and which he seems to think was a substitute for all others; namely, that this Bill, or one of equal efficiency and extent, ought not to be, indeed cannot be, resisted. The noble Earl has told us, that at the last general election but one, the coincidence of the French revolution had flung the people from one end of England to another, into a state of great ferment; that the embers of Reform, raked up a short time before it, had given but little flame; but that, when the news of that revolution arrived, it acted like the pouring of oil upon ashes, and warmed those decaying embers into a general blaze. Now, I beg leave to remind your Lordships, that it was subsequent to that event that both Houses of Parliament (without opposition) addressed the Crown, stating that they were fully sensible of, and justly appreciated, the full advantage of that happy form of government under which, through the favour of Divine Providence, this country had enjoyed, for a long succession of years, a greater share of internal peace, of commercial prosperity, of true liberty, and of all that constituted social happiness, than had fallen to the lot of any other country in the world. Yet, with that Address of the two Houses of Parliament before him, the noble Earl has said, that the feeling of Reform, which had just arisen from its ashes, was aggravated almost to madness by the declaration of the noble Duke now near the Table (the Duke of Wellington)—a declaration which I certainly regret, because it induced the country to think that no attention whatever would be paid to its wishes for a rational, moderate, and well-tempered Reform. The noble Earl, on coming into office, was of course anxious, and I admit properly, to bring forward a measure of Reform to satisfy what he deemed the just wishes of the people. He considered most carefully whether such a measure as that which had been presented by a noble Lord to the House of Commons, at no distant period, was or was not one which he could, consistently with his duty, submit to Parliament for its approbation. On this last point he came to the opinion, that no such plan would give general satisfaction; and he has thought that he could find no medium between a scheme of that description and the present Bill, by which he expects to satisfy all wishes, inasmuch as it exceeds all hopes and expectations. The noble Earl much underrated his own powers, when he imagined that he could not have framed a Bill very different from this, and yet capable of satisfying most of those whom it is possible or desirable ever to satisfy. I have no doubt that, with such a Bill, he would have conciliated a much more weighty and solid support to his Administration than that which he has acquired by his present measure, and that he would have disarmed the hostility of a large portion of those individuals who now feel themselves obliged to oppose this Bill, because they consider it to be a change which must inevitably lead to all other changes.

The noble Earl has told your Lordships that this measure is a bold measure of Reform. In that assertion I fully concur; indeed, so bold a measure has never been brought forward by any statesman in any country under heaven. Noble Lords will not expect me to fatigue myself and the House by going into a review of all the extravagant plans of Reform which have been framed for the improvement of the constitutions of other countries. I will, however, defy your Lordships to select, out of all those plans, any one which, unless it fairly professed itself to be a revolution, was equal in the magnitude of its consequences to this Bill of moderate Reform. But the noble Earl tells us that it is on the ground of the very extent of the measure that he rests his belief that it will satisfy the people. Now I am of opinion that the satisfaction with which it has been received by those classes of the people, who avowedly consider it only as a stepping-stone to further and still more dangerous changes, will not be its best recommendation to your Lordships, or to any friends of the real liberty of their country.

The speech of the noble Earl, excepting that part of it in which he went into a very imperfect detail of the provisions of the Bill, was employed in making an eloquent and a very able attack on the whole system of nomination boroughs. I will not weary your Lordships by a tedious reference to historical details, or enter into an investigation of the accuracy of the noble Earl's assertion that this Bill goes to effect, by the abolition of the nomination boroughs, only a restoration of the ancient Constitution. I would, however, request the noble Earl to point out to me the time when the Constitution bore any resemblance to the Constitution which would be created by this Bill. In spite of the indiscriminate attack of the noble Earl on this influence over the Representation of the country—an influence which individuals possess, as he himself admits, not in consequence of their rank in society, but in consequence of their property in certain districts of the country—I defy the noble Earl to point out the time in which this influence did not exist to a great extent. The noble Earl has said, that all the great authorities who have most considered the principles on which the Constitution of England is founded, are on his side. Is this assertion correct? I could quote, if it were necessary, the opinions of Mr. Pitt, delivered at a period when age had matured his experience; I could quote the opinions of Mr. Burke, of Mr. Wyndham, of Mr. Canning. Can the noble Earl mention the names of any men who united with greater talents greater knowledge of human nature, or a more intimate acquaintance with the workings of human society? Whatever may be their future destiny, at least these nomination boroughs are well entitled to a funeral eulogy. It is through them that all those persons who have made a distinguished figure in Parliament have found their way into it, either on their first entrance, or at some subsequent period of their lives. This is no slight recommendation of such boroughs, unless you can shew that the road into Parliament under the new Bill will not be far more difficult of access to men in their circumstances. Besides, these boroughs have often proved a valuable safeguard against the domineering influence, sometimes of the Crown, sometimes of the people, and have thus prevented collisions between the two Houses of Parliament. They form one of those instances which prove the soundness of Mr. Fox's historical philosophy, when he stated that the practice of the Constitution was admirable, but its theory defective and absurd. The noble Earl is now endeavouring to bring back the Constitution to that theory which his great political prototype declared to be defective and absurd, whilst he is throwing away all the advantages of that practice which he so much admired.

It is now an old story, and though it may not be ungrateful to your Lordships' ears, I am afraid that, when my words find their way abroad, it will not be very grateful to the ears of some people out of doors—it is now an old story, that we ought not to make great changes in our Constitution, because, in point of fact, it works well. The time was, when this eulogium sounded well in the ears of Englishmen. It has been repeated in all quarters of the world, it has been proclaimed by historians, philosophers, and politicians, and echoed by the people of England. But now we have become accustomed to be addressed in a different strain. "You fancy yourselves," say the orators of the day—"you fancy yourselves a great, and happy, and glorious people, but you are wofully mistaken; you are a wretched, an impoverished, and an ill-governed people; you are suffering so universally under your present system of misgovernment, that if you leave one stone standing of that fabric which you falsely suppose to have given you shelter and protection for so many years, it will crumble on your heads, and detroy you amidst its ruins.

The principle and object of this Bill are, to make the Constitution more democratic. Look to the consequences. When that assembly, which has already become the chief governing power of the state, attains to be not only the governing power, but the government itself, and suffers itself to be guided by other assemblies of another description, such as have recently been formed in the north, and especially at Birmingham—when these come with their directions for our conduct thundering over our heads; what, I ask, will be the kind of government then presiding over the interests of the country? What is it that we are to expect from a Legislative Assembly so constituted and so directed? The people, I know, have been told that they will have cheaper bread; and it is assumed by some that we shall have fewer taxes. Weak and miserable delusion! After all the successful efforts* of the noble Duke and his predecessors, strenuously supported by the House of Commons, as at present constituted, to lighten the burthens of the State—efforts which, in some instances, I am inclined to think were carried too far; after all the further attempts made by the present Administration to gather gleanings from a field which had been so fully reaped, is it not a weak and miserable delusion to say that, be the assembly as democratical as it may, it can materially reduce the present amount of taxation? Yes, a House of Commons elected under this Bill *could*, and I have little doubt *would*, reduce taxation,—but at what cost?—by the sacrifice of the good faith, the security, and the happiness, of the country.

Now, as to war—for war is another point on which the supporters of this measure have attempted to delude the people. Under the government of a democratical assembly, we are told that we shall have no wars. No wars, indeed! Is then all history a fable? Where is the democratical State which was not the most warlike of all the States around it? Look at the history of our own country, and then say whether the passion for war has decreased among the people as their institutions have become more liberal, and their form of government more popular. But why will there not be wars? Because it is said that Parliament has hitherto entered into wars against the inclination of the people. Now, the Revolution is the period since which the popular voice has been most loudly heard in Parliament. Look, then, at the war which immediately followed it. Perhaps that is one of the cases of the most doubtful kind. I ask whether we are confident that a Parliament reformed on such a plan as that which is now before us, would have supported William against James? From what we know of those times, I think it doubtful whether this reformed Parliament would have supported such a war: but surely that the then Parliament did support that war will not be made a ground of accusation against it by those who call themselves friends of the liberties of the country. Again, let us look at the war of 1741: that war was actually forced upon the Government by the people. I am not certain as to the feelings of the country at the beginning of the war of 1756, but I know that that war was successful in its progress, and, therefore, was highly popular. Then came the war with America. No man can doubt, that, at its commencement, and for a considerable period, it was the war not of Parliament alone, but of the country. It grew unpopular at last, because it was unsuccessful; and I do not deny that that war was then carried on, after it had ceased to be popular, in consequence of the excessive influence possessed by the Crown in the House of Commons. That influence was then as great as in the time of Sir Robert Walpole, when about 200 Members were, as is well known, subject to it; whereas, it is indisputable that the Crown cannot now command the support of one-third of that number. In the first French war, opinions were certainly divided; but in the second, by far the most expensive, the feelings of the country were so much in accordance with those of an unreformed Parliament, that, as far as I recollect, not more than one petition for peace was presented during its whole course. There can, therefore, be no ground for presuming that a reformed Parliament would not have supported it. I contend, therefore, that the experience of this country, since the Revolution, when its freedom was secured on a firm foundation, proves that the people have more frequently encouraged the Government in war, than compelled it to refrain. So much for the question of war.

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* Since the peace, taxes to the amount of 31,350,000*l.* have been repealed: 4,050 offices, of which the income was 701,000*l.*, have also been abolished; and yet the House of Commons is to suffer an universal change, because it is the indiscriminate supporter of taxation and corruption.—[*Sic. Orig.*]

Notwithstanding all the practical benefits which are, as I believe, secured by the present construction of the House of Commons, it is, I admit, one of the parts of the Constitution, the advantages of which are not so easily perceived by minds unaccustomed to political speculations, whilst its alleged defects and anomalies can be made palpable to the most uninformed understanding. I therefore feel much like the noble Earl who has just sat down, that at this period, when attacks of so serious a nature are made upon the Constitution, and appear to produce so deep an impression upon the country, I ought, though not satisfied that the present system is perfect, to hesitate before I consent to changes which, made at such a moment, may be made too hastily, and too extensively. While I say this, I am ready to declare that I am so far a reformer that, under existing circumstances, I should not object to such a revisal of a part of our present system, as should both diminish the number of those places, which experience has proved to be most exposed to bribery and corruption, and the number of other places of which the odium now counterbalances, if it does not outweigh, the advantages. The noble Earl has urged the necessity of granting Representatives to the great towns which have lately risen into importance. On that part of the subject I agree with him. I am no new convert to the doctrine—for, never has an occasion arisen (and there have been a few in my time), for a transfer of the franchise from a convicted borough to a large town, in which I have not given my support to the proposal; nor have I confined my support to votes in this House; but I have strongly and frequently pressed the necessity of the measure elsewhere. For a considerable time, even when the subject of Reform was much in agitation, it did not appear that, on the part of these towns, there was any strong impression that their interests would be materially advanced by having Representatives. That feeling seems to me to have now taken an opposite direction. Though, therefore, I may doubt whether their interests have actually suffered from the want of direct Representation, or would be better attended to by having Representatives of their own, than now when they are virtually represented by means of those mercantile men who sit for small boroughs, I am fully prepared to yield to the wish which those great towns have expressed. Indeed, I see no objection to its gratification, but the objection to change itself.

I agree with the noble Duke, that no system has ever been proposed, least of all the present Bill, which affords the prospect of working as well as that which has hitherto existed; but I feel that ground alone to be no longer tenable. I should support, therefore, even a considerable change, because I think that it is not enough for a country to be well governed, unless the majority of that part of the population, in any degree capable of judging, are satisfied that it is well governed. Do not misunderstand me. I think that much of the power of a Government everywhere rests on the confidence of the people; and if that confidence be shaken, be the Government in reality good or bad, it is the interest and duty of the Government to take such reasonable measures as suggest themselves to recover that confidence, and assure its continuance. That, however, is not to be done by changing at once the whole constitution of the House of Commons. Whenever such a change is proposed (and such a change, I think, is now proposed) I must resist it, in the hope that the quiet good sense of the people of England will recover from its present delusion; and, however indignant they may at first be with those who dare to oppose such crude and perilous suggestions, I am sure they will soon return to their old feelings of love and respect for those who perform only their duty in arresting the wildness of the popular career.

I do not wish to follow the noble Earl into the details of this Bill; but I think, if it were a Bill fit to go into Committee, that some of the objectionable parts of its details (if we can talk of anything in this Bill as a detail) are capable of correction. But shall I, on that ground, consent to its going into Committee? I think not, if I am satisfied, that the principle of the measure is bad. I believe the principle on which the whole of this Bill is founded to be such, that no amendments made in the Committee can so remove the objections to it as to make it our duty to pass it into a law. I confess, that there was a short period in which I flattered myself, that some amendments could be proposed which would render this Bill, if not a boon to the country, at least a measure of less dangerous import than I now consider it. I set to work—I made the attempt—I put my hand to it, but I found it impossible to proceed, and I awoke from my delusion. I was met at every step by the principle which I considered so objectionable—the principle, that population, taken by itself, must be the basis of Representation. It is said, How can it be so, when the Bill requires that, in each borough, there should be at least 300 voters composed of a class of persons renting 10*l.* houses? But is it not so, when a place containing a population of 2,000 persons, on the ground of numbers alone, retains one member, and a population of 4,000, on that ground alone, retains two Members? These Members they would respectively retain, even were the whole population composed of paupers. If these places do not possess the requisite amount of qualified voters, a pack of Commissioners is set loose to hunt for the complement in the neighbourhood, and in some cases at the distance of many miles; so that the constituency, to any extent, might be composed of strangers. However small, therefore, may be the proportion which the borough itself is able to contribute to the required constituency, still its claim to be represented in Parliament is admitted solely upon the ground of its population. If this be not to take population as the basis of Representation, I know not what can be so. In that part of the Bill which gives additional Members to counties, the selection is guided by population alone. Here, at least, there can be no room for dispute. Population, therefore, taken by itself, is, according to this Bill, the basis of Representation. I will not go into the argument, whether that is, or is not, the best basis; but I believe, that in no country, except the United States, has the experiment ever been tried. Even in the wildest times of the French Republic, population and taxation combined were considered as the essential basis of the system of Representation. But, if population alone is to be taken—if you set out on that principle, and hope to find a resting-place from attempts at future changes, which is one of your grand arguments in favour of this sweeping measure, you will assuredly be mistaken. If you do adopt that principle, you ought to follow it out consistently. Has that been done here? You will indeed find great difficulty in fixing the line, and that is a reason why you should not adopt the principle at all. But if you do adopt it, what reason can you give to the towns now unrepresented, which have a population below 10,000, but much beyond that of a great number of those boroughs which retain one or two Representatives, why they should not be admitted to any share of the elective franchise—towns, too, which have not only the claim of numbers, but possess in themselves the required constituency? Why are the towns having a population of between 10,000, and 20,000, to have only one Member, when one is to be returned by boroughs having only 2,000, and two by those which have only 4,000? Why are towns, with a population of 100,000, and a number of qualified voters, amounting almost to universal suffrage, to be contented with the same share in the Representation as boroughs of 4,000, which must eke out their scanty proportion of such voters, by calling in the inhabitants of adjoining or not adjoining districts? These questions are endless; these anomalies are innumerable. I am to be told, I suppose, that the present mode of Representation is full of anomalies. This is one ground of complaint. But how does this Bill remove it? Can the varieties now existing be correctly called anomalies? In order to have anomalies, you must first have a principle. But it is our pride that, in the formation of our Constitution, no principle of abstract theory was consulted. It is the result of the wisdom of successive generations, acting upon no system, but governing themselves by the different circumstances in which at various times they were placed. They made such changes as the circumstances of society required, but in making them they did not adopt any regular plan.

I say, therefore, that my objection is to the principle of this Bill. There is no ground whatever for supposing, that the towns which you have retained or selected are more fit to send Members to Parliament than many others which you have left out. That is my first objection, and you may hope in vain to give satisfaction by thus establishing, by an Act of Parliament, what, according to your own principles, is unjust. Let me add, that if you establish the Representation solely on the basis of population, I do not know what you will be able to say to the claims of Ireland. We, who oppose that principle, should have answers enough—we could say, that they did not pay a sufficient amount of taxation. That was the principle adopted by Mr. Pitt, who left only a Representation to those boroughs in Ireland in which the greatest amount of population and taxation were found to be united. I wish any noble Lord, who supports the Bill, to tell me what answer he could give. I know that no answer can be given to the agitators there, for nothing will satisfy them; but I think, that no answer can be given by the supporters of the Bill to those who fairly wish to see the Representation of the two countries placed upon the same footing.

I have another objection to the Bill. I think that, though the noble Earl did state reasons, good or bad, why the boroughs in schedule A or B should be wholly or in part disfranchised, why Representatives should be given to the large manufacturing towns, and why some should be added to the extensive counties, he has entirely omitted to state any reasons for destroying the elective franchise, not only in the places included in schedule B, but in every city and borough against which no complaint has been brought forward. We know what they have produced—what sort of Representatives they have sent to Parliament—and yet there is no one place, with the exception of the two Universities, in which a single right of election has been left unchanged. Although I do not assert that the species of property which exists in boroughs is to be considered as property, in the strictest sense of the term, yet I think that every right of that sort ought to be most lightly touched, and not touched at all without some strong reason, and without a fair prospect of affording to those whom you compel to part with it, the advantage of improved government and all the compensation which that advantage can secure. Now with respect to the rights of voting in all these boroughs, whether exercised by corporations close or open—by liverymen, freemen, freeholders, burgage-holders, potwallopers, scot-and-lot payers, in short, all that infinite variety of electors, which I believe sincerely, in the working of the Constitution, has produced the best consequences to the State—I find that they are all to be swept away at once *sub silentio*, and as a matter of course, and swept away too, without, as I see, or am even told, on any rational grounds, securing the advantages of permanent good government. These are all to be abrogated, and in their place is to be substituted one universal right, of which we can have no experience, as it does not, I believe, exist in any one city or borough throughout the kingdom.

There is another objection I have to the Bill, and that is, the enormous number of persons it will introduce to the enjoyment of the elective franchise. I ask whether that is a trifle?—where is the example for it?—where is the country that has even the same number as we have now? Look to France, which has just been regenerated: France, which has been regenerated upon a democratic principle, had not, I believe more than 80,000 voters; and now the democratic party seems to have been satisfied with an increase which makes the total number of voters about 200,000. But France, my Lords, contains, if I am not mistaken, 32,000,000 of inhabitants; yet there her liberals thought that a constituency of 200,000 made the country sufficiently democratic. Here we have only 12,000,000 inhabitants, and yet we have—I cannot exactly state the number—but something between 400,000 and 500,000 voters; in addition to which, it is now proposed by this Bill to create half a million. Thus are we, with our 12,000,000 of inhabitants to have 1,000,000 of voters; while democratic France, with her 32,000,000 of inhabitants, is content with about 200,000 electors. My Lords, I think that, with respect to the inconvenience which must arise from this enormous increase in the constituent body, no man can venture to express a doubt. Whether there may be provisions, hereafter, to obviate this inconvenience I know not; but of this I am certain, that so great is the influx—so great the accession of new voters, that it is impossible it should not be attended with confusion and disorder.

My Lords, the anomalies of the Constitution have been much insisted on, and the evils under which the country is stated to labour have been forcibly portrayed; but where has the noble Earl found out the panacea for all evils—the universal medicine—to be substituted for the wholesome diet by which England has been so long nourished, by which she has grown, and on which she has thriven? He has found it in the intelligence and independence of one class of voters—in one class alone—governing in all places and in all parts of the country. Formerly, my Lords, we were in the habit of considering that a variety of electors was good, because thereby an opportunity was afforded for men of different habits, occupations, and situations in life, to find their way into the House of Commons. The noble Baron (Holland) will perhaps, remember a pamphlet which was written by a person high in his confidence, and with a view of giving some advice to the Cortes of Spain. I concurred, my Lords, with many of the observations which I found in that pamphlet; and I particularly agreed with the recommendation not to create a uniform mode of election, or a uniform right of voting throughout the country. They too, my Lords, who think an equality in the suffrage desirable (I confess my Lords, I am not of that number) might with justice object to this measure, the effect which it must have in different places—in some creating, Universal Suffrage, and in others (I wish they were numerous) leaving a small but an ample number of qualified electors.

If I am told that this last objection is inconsistent with the other, and that I cannot therefore maintain them both, my reply is this.—It is true that the uniformity of qualification will not, in all cases, owing to the unequal value of property in densely and thinly-peopled districts, confer the franchise on the same class; but this very admission, so far from invalidating one or other of the objections, affords the best illustration of the impolicy of the proposition itself; since the qualification will be virtually lowered where every prudent Statesman would wish to raise it, and raised where it might, perhaps, with comparative safety, descend still lower.

My Lords, there are some omissions in the speech of the noble Earl which I regret, and of which I think this House and the country have some reason to complain. The noble Earl has entirely left out of consideration what I, in my ignorance, thought the real, the great problem for a Statesman to consider, when about to construct a Legislative Assembly. The first question which I should have thought it necessary to ask myself, and to answer at least to my own satisfaction, and, as far as I was able, to that of others, is this:—By what mode of election is an assembly fit to govern the country most likely to be procured? I should have thought that looking to history and experience, would have been the best way to qualify men to become judges of what was in truth the best Constitution. But history and experience have been thrown aside. To an individual like me, I allow it might be remarked, "You do not seek for the best Constitution for the country, because you say, this which you now enjoy is decidedly the best." But still there is a question fit to be asked and answered, and it is this. When the clauses of your Bill come into operation, what will be the sort of persons elected by the populous places in which there is a constituency of many thousands—a constituency not merely paying 10*l.* per annum, but 3*s.* 10*d.* per week—composed not of householders only, but of as many lodgers at that rate as each House may contain? What probability is there that these electors would be guided in their choice by that sound judgment which upon such an occasion, ought to prevail? If too I am told, that a very numerous constituency will really be a cure for bribery, I ask you to look to Dublin and to Liverpool. I ask you to remember Westminster, when Westminster was contested, and then to tell me if it did not, on both sides, present a scene of the grossest bribery? Ought not then the noble Earl, before he decided on so enormous an increase to the existing number of electors, to have paused, and considered, and asked himself whether, if his desire were to procure good Members of Parliament, he was likely to produce such a result by the adoption of such means?—whether it was probable that such a constituency would be directed by motives which would lead them to make the best selection? It has been said, that such persons are bad judges of measures, but that they are good judges of men. This I believe to be a fallacy; although I have more than once heard it brought forward by good authorities. When you say these people are good judges of men, it is meant they are good judges of the conduct of men. What is the conduct of a public man? How is it to be estimated? Simply by his opinions or votes upon certain great measures. In order then to judge rightly of the man, they should be capable of judging of the measures themselves. Now this is the very proposition which is denied. But, my Lords, when I assert, that universal popular Representation is not the best mode of securing good Members of Parliament, do I wish it to be excluded on this account? No; I rejoice that popular franchise has formed a part of the constituency of this country. I rejoice in it, because it has tended to give the people that exalted idea of their own freedom which distinguishes them from the nations of other countries, because it has given them an interest in the affairs of the State, and fostered, in all classes, even the most humble, a spirit of pure patriotism. There is not, therefore, one place in which popular Representation prevails, from which I would take the franchise.

But with a constituency universally popular, and with the fear of a contested election hanging over their heads, how large a number of Members will act as mere delegates? With the mere prospect of such a system, how many act so already? How completely will then be forgotten that great constitutional principle, the principle which covered and corrected all our anomalies—that when once a man set his feet in the House of Commons, he was the Representative, not of the place which sent him, but of the people of England! Whenever any popular excitement takes place at the time of a general election, will not nearly the whole House represent only the temporary opinion and passions of a majority in the country, leaving the minority, however respectable in intelligence, property, or numbers, almost without an organ? With such an assembly, fluctuating, as it must do, with every variation of a breeze, which may blow by turns from every point of the compass, what will become of stability, the great element of social and political happiness? Will this be a government for which the noble Earl himself will tell us that we ought to exchange our own?

If the Bill were to leave all these 150 boroughs nearly in the state in which it found them, it would be something in its favour. But among the many reasons for which I oppose it, there is this above all—that I object to altering any one of the ancient franchises of the realm without assigning a good and sufficient reason. While I confess that there are certain portions of the existing system which are liable to condemnation, I do so most reluctantly; and I deeply regret that the noble Lord should have felt no such reluctance—should have been restrained by no fear, lest his sweeping condemnation of the whole should lead the people to the belief that there was not one part of the Constitution which should remain unchanged. The dreadful effect to be apprehended from this universal change is, that it must unsettle the minds of men as regards the whole system. If we say to the people, all the rights of such and such classes of persons, heretofore voters, are to be sacrificed, and this without deigning to assign any reason, what must be their feelings? Will they not say, as soon as their highly-raised expectations of compensating benefits shall have met with the unfailing disappointment that awaits them —"The Government which sacrifices the rights of its subjects is not that under which we wish to live, and Parliament itself is no longer entitled to our respect and obedience?"

But what is the compensation offered by the noble Earl for this indisputable evil? —the purity of election. Will then these boroughs, which are to have from three to four hundred electors, be secure from the influence of corruption? I have always understood, on the contrary, that boroughs of that description were precisely those in which there was the most direct and the grossest bribery, because men could, by a small sum of money, secure a majority, and on that account always sought those places as affording the cheapest way by which they could get into Parliament. Now, if this be the case, do you expect to attain the end you propose to yourselves, by increasing fourfold, as your Bill will do, the number of places in which a constituency thus limited will offer the same temptation?

Again, too, I would ask the noble Earl, what sort of Parliament can he hope to have under the operation of his Reform Bill? We have heard of a Parliament which acquired the title of *Parliamentum indoctum*. I fear that, under the circumstances to which I have alluded, a good claim to this enviable designation might be once more set forth.

Is it not essential to the deliberations of the House of Commons upon the public affairs of India, that persons should find admission into that assembly, whom long residence in that country has furnished with knowledge derived from experience? How are such men, estranged as they are from home, to procure a seat under this Bill, except by bribery? how are the West-Indian and Colonial interests to be represented? Some men connected with commerce and manufactures may, it is true, become the Representatives of commercial and manufacturing towns, unless they be supplanted by some noisy demagogue, whom they are deterred from opposing by the salutary fear of having their persons endangered, and their houses burned down by the mob. But will the House of Commons be, as at present, an Assembly representing all the great interests of the country—all the great interests of the empire at large? Will it possess all the information necessary to manage all the complicated affairs which frequently come before them, without the aid of professional men—without the presence of his Majesty's Attorney and Solicitor General, and other eminent lawyers, to correct those mistakes into which a want of legal knowledge must infallibly lead a Legislative Assembly? For how are these persons to be returned? how can they, consistently with their attention to a profession so laborious, devise means of entering that House, except, as in the other case, by bribery; unless, indeed, they have obtained, in some way or other, political notoriety? Let the noble Lord answer me this. Not only lawyers would be for the most part excluded from that House, but others who, perhaps, formed its most useful Members, but whose fortune, whose constitution, whose habits, all forbid them to face the expense, the trouble, and the ferment of a popular election. I ask the noble Lord, how are such men to come in? If all these classes be not excluded, will not the avenue for their entrance into Parliament be extremely narrowed?

Again, how do the noble Earl and his friends expect to be able to carry on the public business in the House of Commons, if the present Bill pass into a law? Will they promise to themselves, and to all their successors, such an inheritance of unvarying popularity as always to be placed in Parliament whenever their constituents are appealed to? Will they not, by the introduction of this measure, have subjected themselves and their successors to the sudden impulses of popular feeling—impulses which they must either instantly obey, or which may as suddenly drive them from office? The measure is akin to that by which the salaries of the great officers of the State have been reduced. The possession of wealth, my Lords, has not hitherto been, and I trust it will never be, an indispensable qualification for the higher offices of the State. The measure to which I allude is odiously aristocratical. By reducing the salaries of the great officers of the State, you leave the offices open only to the possessors of wealth; you narrow the choice of the Crown; you deprive the country of the power of calling into its service the most useful and the most brilliant talent which it possesses. The presence in the House of Commons, not only of the higher officers of Government, but of many persons in subordinate offices, is extremely useful—and, as well as that of the former, almost indispensable. Should this Bill pass, and all boroughs with a small constituency, and under private influence, be swept away, by what means can they gain a seat? How will they be able to bear the expenses of a contested election? How will they have gained sufficient popularity to command the suffrage of the people? If they are to come in at all, it must be by bribery out of the purse of government.

Another question, too, I have to ask the noble Earl, and I trust my doing so will not be considered as admitting that your Lordships have a peculiar interest in opposing this Bill. If we have any interest in this particular, it is only in common with the nation at large—I mean the possibility of your Lordships introducing your eldest sons into Parliament. I ask the noble Lord how is this, except in a few instances, to be effected under the Reform Bill? And I ask, if there is to be a House of Lords, is it not fit that it should be able to display that knowledge which must be laboriously acquired, and that talent which is matured by the habits of exertion? My Lords, I have heard many celebrated Members of your Lordships' House, during the fifty years to which my memory extends, but I cannot recollect more than ten men who have taken a distinguished part in your Lordships' debates, who had not had their schooling in the House of Commons. It is not that this is beneficial in exercising their talent as speakers alone, but it gives them an opportunity of learning how to transact the public business; and what is, perhaps, more important still than anything else they can there learn, they are brought into contact with their fellow-subjects, and with popular bodies. They are thus taught to feel and appreciate English liberty and English independence, which, born as they are to hereditary honours, and, in most cases, to hereditary wealth, might be less present to their minds and less powerful in actuating their conduct, than if they never had been elsewhere—than if they had breathed no other atmosphere but that of your Lordships' House. I would not, however, give this as a reason why you should not pass the Bill, were not the country, in my conscientious judgment, equally interested with your Lordships, on this and on other accounts, in its rejection.

I have yet another question to ask the noble Earl. I should be glad to know if he really believes that a body, constituted after the manner he proposes for his new Parliament, would assist his Government in carrying into effect their views on what are called liberal principles? Can he think so, when it is more than probable, that if we had had a Constitution framed upon a model similar to that now before us, the people would still have been labouring under a multitude of those taxes which were imposed in the ignorance of former times, and entangled in all those trammels of commercial and financial law with which society was formerly embarrassed. I ask the noble Earl, would the great measure of Catholic Emancipation have been passed by a Parliament so reformed? I do not believe that it would. On all these points, my Lords, I offer my conjectures: the noble Earl has not offered his; I beg, therefore, that we may hear from him (or from some of the noble Lords near him), his conjectures respecting the matters to which I have adverted. But when I have heard them, shall I be satisfied that your Lordships should pass the Bill? Are your Lordships prepared to make an entire change in the whole Representative system, simply upon the conjectures of the noble Earl? No; this is my objection — I oppose any measure which proposes to alter every thing. Amend it as you may—leave uninjured all the ancient rights, which are so wantonly to be destroyed, simply directing you disfranchisement against those boroughs which are incontestably nomination boroughs. Ought we to be satisfied? Would Ministers stand blameless? No; the injury is irremediable—I do not speak of passing, but of proposing, a plan of universal demolition and universal re-construction. Your Lordships may prevent some portion of the evils which would otherwise result, by not permitting the Bill to pass into a law; but neither you, nor the might of man, can revoke the mischief of proposing it. The Ministers have done what no Ministers ever ought to do—they have brought forward a measure which it may be almost equally dangerous to adopt or to reject. The noble Earl may pride himself—very justly pride himself—upon the distinguished powers of mind and of language which he has ever displayed as a Member of the Legislature. Through a long political life I have had the misfortune generally to differ from him, yet I respect his motives and admire his talents. But even had those talents been employed in guiding the vessel of the State through the sea of troubles on which it was embarked, and not in obstructing the measures of those who, with whatever difficulty and expense, have still successfully steered it through such tempests as never before assailed a country at any period of the history of the civilized world, still, however great the benefits which might have resulted from such an exercise of his talents, the single act of proposing this Bill would, in my opinion, go far to cancel all our obligations to him. I say this, my Lords, more in sorrow than in bitterness. I never was, or could be, a rival to the noble Earl—when he accepted office I was not his political enemy. I wished, certainly, that the strength of the noble Duke's Government should have been made sufficient to enable him to remain in power, but, finding this not to be the case, I heard with pleasure that the noble Earl was advanced to the station which he now holds. He knows that it was my wish to support him. I trusted not in the Mr. Grey of 1793, but in the Earl Grey of 1830. I trusted him then, and I still believe in his sincerity, much as I distrust his political discernment, when he declares that, in proposing this most sweeping measure of Reform and confiscation, he believes that he is not proposing anything beyond, or at variance with, the expressions in his Majesty's Speech. My interpretation of these expressions is far different. I see nothing in them to justify the principle or the main portion of the Bill.

The situation of the noble Earl, when he assumed the chief station in the Government, was one which (if, in times like these, the possession of high office could produce that feeling) was an object of peculiar envy. He had it in his power to confer great and permanent good upon his country. He was placed on a lofty eminence between two contending parties—those who wished to change everything, and those who wished to change nothing. He might have introduced a measure which would have satisfied as large a portion of those who can be satisfied with anything as this Bill can possibly satisfy, and he might have reconciled to Reform a large proportion of those who are dissatisfied with the present Bill. He might have secured the valuable support of many of those who are called the conservative party, and might have induced them to rally round his standard. He might have stood, as it were, between the living and the dead, and in my conscience I believe he might have stayed the plague. Instead of this, he has chosen to follow the example of the Roman Tribune:—'pollicitus toti ferè Italiæ civitatem, 'omnibus statum concupiscentibus, summa 'imis miscuit, et in præruptum atque anceps 'periculum adduxit rempublicam.'

What is now the state in which the noble Earl has placed himself and his country? It is, I repeat it, more in sorrow than in bitterness that I speak. I well remember, that when, in another House of Parliament, where the noble Earl and myself were sitting at the same time, he was taking measures and using language which Mr. Pitt thought betrayed too strong a leaning towards the principles of those who were then called Radicals—he warned him—a warning which the noble Earl may still remember—against any connection with a party of which he would himself become one of the first victims, because it was equally hostile to talent and to virtue. I think that what the noble Earl is now doing, will, contrary to his intention, give a degree of strength to that party which he will never be able to control. My authorities are the leaders of that party. They say, "We support this Bill, not because we are satisfied, but because, if a change to this extent be once effected, the rest of our work is easy. If the chariot be once set in motion at this pace, it must, by its own *momentum*, be hurried down the precipice." Do you believe them, or do you not? Do you doubt their intentions? That is strange incredulity, indeed, in defiance of their own declarations. Do you doubt their power? I so far doubt it, that I believe, should matters come to a crisis, their power would be broken by the result of a collision with a Government really determined to do its duty.

My Lords, omitting almost every thing of detail, and without discussing for a moment the manner in which the measure is proposed to be carried into execution, I have now, however imperfectly, stated my objections to the principles of this measure, and I do not think that it would be consistent with my duty to myself, your Lordships, and my country, to give my vote for the second reading. The noble Earl, however, tells us that this Bill, as it now stands, or something equally efficient, must pass. Now, no Bill equally efficient can be brought in, which does not carry the work both of destruction and of creation as far as this Bill, for nothing short of that will, strickly speaking, deserve the title of equally efficient. What hope, then, have we of doing any good by proposing amendments in Committee? The door is closed. It is true that, in another place, the Government said they were prepared to adopt any amendment which did not materially interfere with the principle of the Bill. But how did they redeem that pledge? Not a single amendment did they consent to, except some pitiful trifle, which in very shame they could not reject, save upon one occasion, when an important amendment was carried against them by a majority of their own friends—an amendment of which the noble Earl does not approve.

But the noble Earl says, that the people at large are for the Bill. If that be so, who can wonder at it? The noble Earl has spoken much of bribery; but, I ask him, was there ever, in the records of history, a bribery to the extent of that offered by this Bill, in the shape of an elective franchise to 500,000 persons? It declares a certain class of persons to be the sole electors of every city and borough in the kingdom. Thus a bribe is directly given to that class of persons to support the Bill. You ask 500,000 persons whether they choose to have, nay, to monopolize, political power? Who could expect any other answer than what was given? But even with all this, while I admit the general feeling to be still in favour of a change, and perhaps no small change, in the constitution of the House of Commons, I must declare, that I do not see any symptoms of the people being as decidedly in favour of the Bill now before your Lordships as they were when they knew little of it. It is true that petitions have been presented, and I wish at all times to treat petitioners with respect: they have a right to be heard and to be attended to; but when they come before us, we must consider the nature of the subject on which they address us. If it should happen to be a subject of so great, and difficult, and complicated a nature, that even persons of the highest talent, the highest information, and the highest wisdom, possessing, moreover, that knowledge of the mind and heart of man which alone can make a good politician, approach with awe a matter of such mighty import, and, after applying themselves to its consideration, are involved in embarrassment, and remain to the last doubtful of the propriety of the decisions to which they come; may we not, with all respect for the persons who send us those petitions, doubt whether they can, by possibility, be qualified to judge, to advise, much less to dictate upon it?

The petitions in favour of this measure come chiefly, but not exclusively (for there are many from the classes above them, and still more from the classes below them), from those persons to whom the bribe is given—from the 10*l.* voters; and although I admit that this class in England, and particularly since the schoolmaster has been abroad, are more intelligent and better able to form a correct judgment upon such subjects, than persons of the same rank in life in any other nation in the world, yet, as they are for the most part employed, for the largest portion of their time, in the various necessary occupations from which they derive their support;—unless they are gifted with an intuitive power of acquiring knowledge, which does not reach the higher orders, and those who have more leisure and better opportunities to learn, they can hardly be capable of forming such a judgment upon the principle and details of so great and complicated a measure, as shall preclude us from the exercise of ours. What can most of them really know about the Bill, except that it gives them votes?—and votes are good things. But then they are told it will give them cheap bread. A demagogue presents himself to them with a red cap upon a pole, and two loaves of bread, one large and the other small, saying, "if you vote for such a candidate, you will have the large loaf; but if for the other candidate, you can only have the small one." Thus are they deluded—thus played upon by the excitement of fallacious expectations, and by the exertions of a Press which has been sufficiently characterized by the noble Earl (Winchilsea), to render it unnecessary for me to say one word respecting it. Can we wonder, then, that they are in favour of the Bill, the only measure of Reform now before them, although it is obvious that not one in a thousand of them can have read it, and that, if that one can fully comprehend it, he has done more than myself, and I believe most of your Lordships, have been able to do.

The petitions of these persons deserve, no doubt, serious consideration; but I have yet to learn that either this or the other House of Parliament is bound, under the penalty of being cashiered, to follow implicitly any other guide than that of its own deliberate judgment, after full argument and discussion. If that be not so, why sit we here? If we sit here merely to register the orders of the House of Commons, and if the Commons sit in St. Stephen's merely to register the orders of the Northern Unions and the Birmingham Association, how long will it be before we, in the first place, and the House of Commons in the next, shall be called upon to give up even the semblance of deliberation? Nay more—how long will it be before the Throne itself is considered as an useless and expensive pageant?

Again I say, that I deeply regret that so universal a change in the constitution of the House of Commons has been proposed. Man is the creature of habit rather than of principle; his affections fasten to that which he is accustomed to. Hitherto the people of England have been warmly attached to the existing system, though not blind to its partial defects; but this proposition tends for ever to alienate them from the whole. Is it nothing to alter, almost without assigning a reason, and hardly mentioning it as a part of the provisions of the Bill, the constituency of at least 150 boroughs to whom the privilege of electing Representatives is wholly or in part continued, abrogating rights almost coeval with the Constitution itself, and against the exercise of which no complaint is made? Is it nothing to abolish, or, at least, to deprive of all political power, every Corporation in the kingdom, whether close or open? Those who know the history of their country must be aware that they were the first foundation, and the main instrument of the establishment of our liberty. In my opinion, they not only have had, but still have their uses. They naturally create a great variety of local attachments, of local objects of ambition: they endear a man to the place of his nativity; and when a man feels an interest in the place where he was born, he extends that feeling to the whole country. What is, moreover, this 10*l.* qualification which is considered by Ministers as giving a sufficient proof of the capacity of the possessor to judge of the merits of candidates, and as being so decidedly superior to all other qualifications, that they have substituted that, and that alone, for all the varied rights of voting which previously existed? It is precisely the qualification which gives a settlement in a parish, and entitles the man who has possessed it to apply for parochial relief.

Then it is asked, what do you hope for by resisting the second reading of this Bill? In the first place, there is always something to hope for, when a man, or a body of men, feel that they are acting without private interest, without bias, without prejudice, and according to what they conceive to be the dictates of their duty. If that, generally speaking, be true, is there a body upon earth upon whom the pursuit of such a course is more peculiarly incumbent than upon ourselves? We are, whatever we may be called, whether a House of Peers, or a Senate, whether a First Chamber or a Second Chamber, we are a co-ordinate House of Legislation with one directly issuing from the people. What is the peculiar privilege and the peculiar duty of such a body? When any measure is presented to us, the adoption of which we apprehend to be pregnant with danger to the community, however strongly that measure may be pressed upon us by the House of Commons, or by the people, it is our primary duty to exercise the privilege which the Constitution has conferred upon us, and to give the country time to reconsider the step which we conceive to be dangerous. Undoubtedly, my Lords, I would rather do this in the present instance, after having tried the practicability of introducing important amendments into the Bill, were it not that, for the reasons which I have already stated, I consider any such trial as hopeless.

We are told by the noble Earl that we have no option but to take the Bill as it is—to adopt at once a proposition which is to consign us and our posterity to a new form of government, which no one has ever ventured to tell us would be practicable, and which, if it were practicable, would, in my opinion, be pernicious. If we take it at all, we must take it precisely in the shape and form in which it has been presented to us—for, like the laws of the Medes and Persians, it is not liable to change. To this decree I cannot bow. I can, indeed, conceive a measure so framed as to secure all the beneficial results which are anticipated from this very Bill, without the hazard of so much mischief. I think that the noble Earl would have acted with more prudence, if he had commenced his Reform at the other end, if he had given Members with his new constituency, but with a higher qualification, to large places, including both wealth and population, and having distinct interests worthy of a separate organ—if he had added to the most important counties some additional Members, with a more extended constituency, and then had made room for them in the House, by disfranchising, either in whole or in part, those boroughs which stand the lowest in the scale of wealth and population. A measure of this description, though open to many and serious objections, would at least have avoided the adoption of the most dangerous principles of the present Bill—those principles which must carry us much further than the Bill itself; its effects might have been observed, and we should have retained the power of stopping short or of proceeding further, whichever might be found most advisable. To a measure of this description, within proper limits, I, for one, should not refuse my consent, when convinced that the deliberate opinion of the country is decidedly in its favour.

It was my wish to have been able to vote for the second reading of this Bill. My noble friends around me know that I have frequently expressed such a wish; but I trust that it is not necessary for me to appeal to the conversations which I have had with them, in order that what I assert may be believed. I have done all that I possibly could, to bring my mind to consent to the second reading. I have already stated to your Lordships that I had tried my hand at amendments, with a most anxious desire to render it less noxious, and to bring it into some shape in which it might be less unfit to pass—into a shape similar to that of which I have traced the outline—but I found those principles of this Bill, which I have been stating and combating, stare me full in the face at every step, and I was forced to relinquish the task in utter despair of accomplishing it.

I have a full sense of the difficulties and dangers which may attend the decision of your Lordships against the second reading; but I entertain also a full conviction that the responsibility for those difficulties and dangers rests not on us, who are doing our duty by the line of conduct which we pursue, but on those who, unnecessarily and wantonly, have brought things to their present state. Whatever may be the result, I am decidedly of opinion that the country ought to have time to reconsider this great question, and to weigh well the consequences that may attend its decision.

I have witnessed instances of agitation as great as that now existing, which, in 1780, 1793, and 1819, menaced the tranquillity of the country, but in time subsided; and prosperity, order, and content, succeeded to the violence of the storm. I cannot abandon the hope that the same happy change may take place in the present case, and that this most difficult and important question may be brought, in cooler moments, to a safer solution. I say, my Lords, out of regard to the people, we are bound to give the country time to reconsider the subject. We are bound, even for the sake of the noble Earl himself, to afford him the same opportunity. I do not expect to alter his opinion, nor do I call upon him to retract his words; but (having given a pledge, and that pledge having already been redeemed) after the decision of your Lordships—if that decision should be what I anticipate—he may still avail himself of that which Mr. Burke calls "the great ruler of human affairs"—a compromise between extreme opinions. In effecting such a compromise he may be assured of powerful co-operation, and the allies whom he will gain, though not so numerous, will be of a very different description from many of those whom he may lose.

In conclusion, my Lords, I cannot assent to the second reading of this Bill. I am of opinion that, if it shall pass into a law in its present shape, it will place us under a form of government as different from that under which we have hitherto flourished, as one free constitution can be different from another. I must again repeat my conviction, that the mere proposal of this Bill, with the sanction of the Crown and of the Administration, has thrown the country into a state from which it will never entirely recover. With this opinion, and believing that a deadly blow has been inflicted on the vitals of the Constitution, I cannot consent to be an accomplice in the crime, though perforce I must be a sharer in the punishment.

Viscount *Melbourne* spoke to the following effect:—My Lords, I am most willing to concur with your Lordships in applauding the ability displayed in the eloquent, but I must say miscellaneous and sometimes contradictory speech which we have just heard from my noble friend; although I cannot but think, that much which has fallen from my noble friend might have better suited a Committee on the Bill than a motion for its second reading. In what fell from my noble friend, in an early part of his speech I entirely agree; namely, that it is incumbent on the various members of his Majesty's Government to explain the grounds on which they support the measure, particularly those who were formerly unfriendly to Reform, and have recorded their opinions against it, and being myself in this predicament, without that intimation, I should have taken an opportunity of stating the reasons which induce me to vote for the second reading of this Bill. Nay, my Lords, concurring heartily and cordially with my noble friend at the head of the Government, in now proposing this measure to Parliament, I think it my duty to state at length my reasons for supporting it. To many of the arguments of my noble friend it was impossible for me to listen with any other than a favourable ear; for they are arguments which I have myself urged elsewhere. If ever there was an individual in the country more anxious than another that the affairs of the country might have gone on without our being forced to incur the hazard and responsibility which must result from so great and fundamental a change in the House of Commons, I am that person. That great Philosopher and Statesman, Lord Bacon, says, that the difference between civil affairs and the sciences is, that while in the latter there should be nothing but change and movement, the former should rest for support on authority and reputation. 'Verum in 'rebus civilibus mutatio etiam in melius '(even if the change were for the better) 'suspecta est ob perturbationem; cum 'civilia authoritate, consensu, fama, et opinione, non demonstratione nitantur. In 'artibus autem et scientiis tanquam in metalli fodinis, omnia novis operibus et ulterioribus progressibus circumstrepere debent.' Undoubtedly the perturbation arising from change is to be avoided; but then the other terms of the proposition must be observed. That which it is proposed to change must be supported by authority, consent, reputation, and opinion. If we find that the columns of that support are sapped and falling—if we find that, instead of authority, there is a disrespect for all authority—if we find that, instead of *consensus* there is *dissensus*—if we find that, instead of reputation and opinion, there are aversion and repudiation, it is then our duty to look about us, and to consider the dangerous situation in which we are placed; it is then time to propose some change, it is then time to revert to the first principles of the Constitution, that we may repair the edifice which is tottering and crumbling around us. My Lords, we have been told by one of your Lordships that we ought not to yield to popular opinion, that we ought not to be governed *arbitrio popularis auræ;* and that it frequently becomes the duty of legislative and Representative bodies, and of all those having authority, to resist the will of the people. I readily admit the truth of that proposition. Else why have a Representative body at all? The wildest democrat in existence, those who assert that all power is derived from the people, would hardly deny the proposition. No man can suppose for one moment that it is the duty of a legislative body to yield to every gust of the popular breath; no man can suppose that in questions involving the immediate petty interests of the people this should be done, much less in making those fundamental changes which affect the whole interests of a great country, and of which the people are necessarily very incompetent judges. But, my Lords, although it may be our duty to resist the will of the people for a time, is it possible to resist it for ever? Have we not in this case resisted it long enough? I say this the more freely, because I have on former occasions been in the foreground in resisting Parliamentary Reform. Night after night have I resisted it in another place, going far beyond some of those who are now adverse to the present measure. Wherever the flag of Parliamentary Reform was hoisted, I ranged myself under the opposite banner; if I did not lift the standard of the constitution and call its supporters to the field, I was always ready to follow it, and went beyond others in repelling every approach to Reform. I always opposed in the other House of Parliament the extension of the elective franchise to Manchester and Birmingham. I look back with great regret to the period when a motion of that kind was last brought before the other House of Parliament, because circumstances connected with that motion deprived the Administration of that day of the services of Mr. Huskisson; I shall never cease to regret them, for I think, and shall, I believe, always think that he was not fairly treated; and that occurrence, I own, first shook my confidence in the noble Duke opposite. On that occasion, however I opposed the transfer of the elective franchise to Birmingham, because in my own heart I knew, that if that proposition were adopted, it must necessarily lead to a large measure of Reform, like that which is now offered to your

Lordships. For why, my Lords, give the elective franchise to Birmingham and to Manchester? Because they have become great emporiums of commerce, daily increasing in wealth and importance. Because they are full of men of opulence, of spirit, and intelligence, because they have arrived almost at imperial grandeur, and metropolitan magnificence. Such of your Lordships as oppose the Reform Bill, the noble Earl who spoke last, and the noble Earl who preceded him, would give these towns the elective franchise because they have thus increased. But the whole country has so increased, my Lords; and it seems to me, therefore, as almost all your Lordships have given up the idea that there shall be no Reform, to be impossible longer to resist the adoption of the large measure now proposed or one equal to it. The noble Earl recommended us to give time to the people, he said that, on former occasions, when the wishes of the people on this subject, have been resisted, when similar claims were made and denied, everything has returned to a peaceful channel. For a certain time that may be good policy; the argument is plausible but all experience proves, when the wishes of the people are founded on reason and justice, and when they are consistent with the fundamental principles of the Constitution, that there must come a time when both the legislative and executive powers must yield to the popular voice or be annihilated. Two of the great arguments against the measure are, that Reform is merely used as a weapon of party, and that the popular demand for it is merely a temporary clamour, that springs up whenever any general calamity occurs, and subsides when that calamity is at an end. Admitting both these arguments to be well-founded, would it not be desirable to deprive party of so formidable a weapon? But when your Lordships see that, on every occasion of public calamity and distress, from whatever cause arising, the people call for an alteration in the Representation, and that the call is accompanied with a deep, rankling sense of injustice suffered, and of rights withheld, can your Lordships suppose that an opinion so continually revived has not some deep-seated foundation, and can you be insensible to the danger of continuing a permanent cause for angry and discontented feelings to be revived and renewed at every period of public distress, and public calamity? Do not, my Lords, be parties to the continuance of this evil, if I must not say this great injustice. What constituted the great danger which attended the continuance of the system formerly pursued towards the Roman Catholics in Ireland? That it gave opportunities to those who, as has been well observed, "were always lying in wait to take advantage of the distresses of the country." It gave a handle to those who were always ready to stir up sedition. The same kind of danger that the empire was exposed to by the refusal of Catholic emancipation, it is now exposed to by the denial of Reform, but to a much greater degree. The Catholics were comparatively a small body, whose strength could always be seen and measured, but the spirit of Reform has been diffused through the whole population and the whole people may be said to be ready for commotion. My Lords, the popular feeling on the subject of Reform extends, your Lordships do not know how far; it penetrates, your Lordships do not know how deep; and the great danger is, that it will break forth with irresistible violence when your Lordships are flattering yourselves that the country is enjoying general repose and perfect tranquillity, or when it is immersed in other dangers and has no arms to resist a discontented people. I have already observed, that my noble friend who has just spoken stated many things which would have been better stated in a Committee. Why will he not allow the Bill to go into that Committee? I am sure my noble friend did himself great injustice when he said that his right hand had so far forgot its cunning, that he should be unable to adapt any amendments to the Bill. But my noble friend has not stated one objection which does not apply only to the details of the Bill, and which may not be obviated in the Committee. Undoubtedly the measure is an extensive one. It does away with the nomination boroughs; it takes away one Member from a number of other boroughs; it alters the constituency of boroughs; it proposes to add to the county Representation—a measure which has always been proposed in every plan of Parliamentary Reform submitted to either House of Parliament; it proposes a general alteration of the qualification throughout the country; and it introduces—which is not the least important part of the Bill—a great variety of regulations as to the conduct and management of elections, with a view to conducting them cheaply, and bringing them to a speedy termination. I will not deny that these are great and important changes and alterations requiring much deliberation, and I regret that so much misapprehension prevails in the public mind as to the supposed delay in proceeding with this Bill. I cannot concur in the censure that has been passed upon the House of Commons for the time and consideration they bestowed on this very important Bill. That House could not have done otherwise, and have done its duty, and no time has been needlessly consumed, no delay has been excessive, considering the great importance of the measure. But as this great measure is eagerly sought for by the country—as it is proposed by his Majesty's Government—as it has been thus deliberated upon, and considered by the House of Commons, and as they, with a large majority, pray your Lordships' concurrence—will you, I ask, at once reject it? will you, by a single night's vote, defeat the hopes of the nation, and cast away, as if it were idle and worthless, the fruit of so much care? Will you reject it on the ground that you may, perhaps, hereafter entertain some similar measure? If such, my Lords, be the ground of your opposition—if you now oppose the Bill, promising to give a better measure hereafter—consider, my Lords, that such a promise is the condemnation of the present system, and the justification almost of that dangerous discontent which I have adverted to, and which your Lordships will not in that case remedy; but your Lordships will well weigh, and deeply consider, the step proposed to you; and pause, I implore you, before you disappoint the wishes of the great body of the people. My noble friend has gone into the whole history of this question since the American war. I can only say, that into all the considerations which that extensive and discursive survey embraces, I am not prepared to enter, as the question before your Lordships is sufficiently extensive and important in itself. Let us consider the circumstances in which we are placed, and the subject as it is brought before us. Though all things may undoubtedly go well as long as the Members of the other House act harmoniously together—supposing, however, which may easily happen, that the Members returned by the popular voice range themselves on one side, determined to carry this measure, and those who are returned in a manner which I need not point out, were to range themselves on the other, what, my Lords, would be the result? Could such a contest be otherwise than perfectly serious? or suppose, my Lords, that we should range ourselves in continued opposition to the majority of the other House and the wishes of the people, must not that lead to consequences the most disastrous? My noble friend misinterpreted the language of my noble friend at the head of the Treasury, when he inferred that the Bill must not be touched or modified, and that your Lordships were to be no longer masters of the measure—and must merely register the decrees of the House of Commons. That is not the conclusion which I drew from what was stated by my noble friend, nor will his language bear such an interpretation. Nothing which fell from my noble friend, can warrant the assumption that he wishes in the slightest degree to impede or control your Lordships' deliberation. The noble Lord has asked what is the basis of the measure, and whether it is not population? Population is not the basis of the measure. It was necessary that we should have, for the purposes of disfranchisement, some practical rule; and, therefore, the want of population was adopted as the rule to disfranchise nomination boroughs. But there is nothing about population on the face of the Bill. I do not mean to deny the statements by which the Bill has been supported in another place; all that I mean to say is this—that there was a necessity for some strict rule both for disfranchisement and for enfranchisement, and population was undoubtedly chosen as the rule for determining the places which should continue to return Members to Parliament; but that mere population was the basis adopted for the Representation of the country I distinctly deny. We never intended that population should be the basis of the Representation of the country. The whole measure goes to effect an extension of the present system of Representation, and adapts it more completely to the circumstances and situation of the country; but it looks at property, at different interests, and at different classes, as well as at population. It is impossible, however, on the second reading of the Bill, when the general principle of Reform is the only question for our consideration, when we have to determine whether there shall be Reform or not. [*No, no!*] Noble Lords are eager to disclaim hostility to Reform; every one is anxious to shew that he is a Reformer; and noble Lords now as indignantly deny the charge of being Anti-reformers, as they some years ago would have spurned at the imputation of being Reformers. When that is the case, I put it to your Lordships, as Reform is the general principle of the Bill, and as that is now the question for discussion, I put it to your Lordships whether you can refuse to read a Bill the second time of which you approve the principle? It is agreeable to the course of your Lordships' proceedings to discuss the principle of a Bill before going into a Committee; and if you approve of that principle, to go into a Committee. Or are your Lordships prepared to say, that you approve of the Reform, and will not go into a Committee? I appeal to the noble Earl who spoke early in the debate, and who introduced a bill in the beginning of the Session, in which he took a considerable interest, but which, I must say, was of very trifling importance as compared to this Bill, and was as inconsistent as a bill could well be, and the noble Lord pressed your Lordships to allow him to go into a Committee, merely on account of the excellency of the object he had in view. If your Lordships oppose the principle of Reform, you will not allow the Bill to go to a Committee, but as your Lordships are all Reformers, and as the Bill is made to your hand, you will surely assent to the second reading, and amend and change it in Committee according to the reason, and sense, and justice of the House. If not, what alternative is there? What course will your Lordships pursue? What do you propose? If you will not allow the Bill to go into a Committee, and there is no other Bill, what have you to offer? If it is necessary, as is stated, to appease the spirit of the people—if it is necessary to propitiate them, your Lordships will allow the Bill to go to the Committee, and so spare yourselves the mortification of hereafter retracting, and of presenting some other similar Bill. The arguments which have been directed against the details of the Bill are fit only for the Committee, and I should wish to spare your Lordships' time by not now discussing them. I will not go, therefore, into all the questions mooted by the noble Earl. I do not deny, that this is a measure of great importance—that it causes a great change—that it will be followed by other great changes; that other measures will be necessary to carry it into complete effect. There must be a change in the Constitution in respect to Ministers having seats in another place. There are some defects which may lead to other changes. I would not exclude Ministers from that House, nor allow them to obtain seats there by any other means than the voice of the people. I should be exceedingly sorry to see such a change, but the Bill will make other changes necessary to adapt it to the working of the Constitution, and to the circumstances of the country; but to effect these changes, I rely on the elasticity of the Constitution, and on its adapting power, which has preserved and improved it in times past, and will not fail, I hope, to preserve and improve it on future occasions. I am departing, however, from the rule I laid down not to go into the details, which demand more discussion than I can now give them. I must abstain, though that is doing the measure injustice, because it is not possible for me to go the length I wish. I will only implore your Lordships to consider the subject well, and not now to touch those topics which will best be considered in the Committee, but to reserve yourselves for the discussion of those details on which you are, I trust, determined to enter in another stage of the Bill. Your Lordships are about to decide a great question—a question involving the peace and happiness of the empire in a far greater degree than that great question it was the glory of the noble Duke's Administration (the Duke of Wellington) to conduct to a successful termination. There is, however, I beg leave to observe to your Lordships, a great difference between this Bill and that for the relief of the Roman Catholics, to which it has been compared. That measure, my Lords, had been frequently demanded, and as frequently refused, till at length you were forced to forget your own previous resistance, and grant that which you before denied. You are not pledged to any opposition to this Bill. You have it now in your power to grant what will be considered a boon, on which the repose of the country depends, and which is looked for with impatience. By this Bill you are not bound in any manner. You have never rejected this, or any similar

Bill. Some of your Lordships may, in the other House of Parliament, have expressed an opinion on Reform; but as a body—as a House of Peers—you are unbound and uncompromised. Your Lordships have free liberty and power to decide as you think fit, and you will come to the decision free from the influence of fear, free from all apprehension, free from all menace, free even from that fear by which a noble and generous mind is sometimes led to rash and untimely acts—free, my Lords, from the imputation of fear. The noble Duke stated at the beginning of the debates on the subject of Catholic Emancipation, that he did not consider that he was addressing himself to your Lordships' fears. I am not of a different opinion. It is said that the great measure of Catholic Emancipation has not accomplished all that was promised. I admit that—but I would beg leave to ask, what would have been now the state of Ireland had that measure not been passed into a law? If the want of complete success is to be ascribed to the conduct of one man; if he has had the power to oppose the beneficial workings of the measure, and delay its advantages, I must say, that the power of that man is the creature of your Lordships' hands; your obstinacy gave him influence, and gave him the power which he possesses to impede the healing effect of that beneficial law. That he should have had the power to raise obstacles to the peace and tranquillity of the country, is a circumstance which I deeply and seriously lament; and I implore your Lordships to raise up no such other man, not to give a scimitar into the hands of many such men, by making the people believe that their humble petitions are disregarded, and that they must not look to your Lordships for redress. Do not, my Lords, arm a host of demagogues with the discontent of the people. Whatever other motives may actuate your Lordships, I implore you not to be guilty of the rashness of fear; I implore you not to be guilty of the greater rashness of delay. I will remind your Lordships of the address of the Roman Consul to his council on going to war, when he planned that masterly march which overthrew the Carthaginian general before he could unite himself to his other forces—a march which, perhaps, changed the destinies of the world. What that great man then addressed to the council, I will presume to repeat to your Lordships. He assured them that their safety depended on the adopting his plan immediately, and that there would be danger in delay. He exclaimed, "Only do not procrastinate—do not make that measure which is safe, if adopted immediately, dangerous by delay." —*Ne consilium suum, quod tutum celeritas fecisset temerarium morando facerent.*

The Duke of *Wellington:**—I concur, my Lords, entirely with the noble Viscount who spoke last, in the opinion that this measure is a most extensive one. It goes to overturn the whole system of our Representation; it affects the counties, towns, and boroughs; it destroys or disturbs every existing interest; and, as the noble Lord said, it will require further changes. It alters all the relations of Representation, and even the proportions of the Representatives of the different parts of the monarchy. It is the most considerable alteration and change ever proposed. The noble Lord says, it would not be sufficient unless it went to a great extent; and he tells your Lordships it ought to go to a Committee; and that we should not reject the measure now, but proceed to consider its details in a Committee. Notwithstanding all the changes it is to effect, it will be followed by other changes, in order to render it fit for working, and adapt it practically to our Constitution. Ought we not to know what those changes are before we are called upon to consider this Bill in a Committee?

Before I go any further, I wish to observe on a statement made by the noble Earl who introduced the measure. He did me the honour to notice my conduct. The noble Earl, when he opened the measure to your Lordships, made some observations on me. He seems to prefer that course to explaining or defending his own measures. The noble Earl seemed to forget that there was any necessity to defend his own measure or explain it to the House, and chose rather to criticise me and my language, and the language of my right hon. friend (Sir R. Peel), and our conduct and language in Parliament during the last Session. The noble Earl thought proper to find fault with my language relating to the constitution of Parliament, and attributed to me, and to what I said in Parliament, the spirit of Reform in the country, and the breaking up of the late Government. The noble Earl found fault with my opinion of Parliament; but what had the Parliament done up to the moment when I was speaking to make it undeserving of our approbation? My noble friend (the Earl of Harrowby), who has spoken with great ability, regretted that I should have made the statement I did make to your Lordships of the character and conduct of Parliament. My Lords, I beg my noble friend and the noble Earl to recollect, that when I spoke of the Parliament, I spoke as the King's Minister, and that it is the duty of the King's Minister to support the institutions of the country: it had never, when I was in office, been the practice for the King's Ministers to give up the institutions of the country, and abandon them the moment they were attacked.

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* Reprinted from the corrected report, published by Murray.

But, my Lords, if I wanted an example of the opinions of the value of the House of Commons, I should find it in the opinion of the noble Earl, the last time, I believe, that he spoke of the House of Commons. In the month of February, 1817, the noble Lord said, 'Constituted as it now was, he 'in his conscience believed that the House 'of Commons was, of all other institutions, 'in all the other countries of the world, 'the institution best calculated for the 'general protection of the subject. Supported by the people in temperate and 'firm claims for redress, it was not only 'able, but certain to remedy every wrong. 'It was capable to act as the most efficient 'control upon the executive, by diminishing the means of corruption and reducing 'the pressure of a severe and grinding 'taxation.'* That was the opinion of the noble Earl himself in 1817; and what, I would ask, had the Parliament done subsequently to deserve the disapprobation of the noble Earl—what had it done between 1817 and the moment when I pronounced that approbation of Parliament of which my noble friend and the noble Earl have expressed so much disapprobation? When the noble Earl quotes what I said not quite a twelvemonth ago, he might, I think, quote it correctly. What I said was, that Parliament had done its duty by the country, and enjoyed its confidence. I said, that if I had to create a constitution of Parliament, I could not create that which existed, because I did not believe the wit of man could invent such a system; but I said that I would do my endeavour to establish one like it, in which property, and particularly property in land, should be preponderant. That was what I said; and I afterwards had the satisfaction to hear the noble Marquis (Lansdown) deliver a similar opinion. He had stated, that in any system of Representation which he could support, property and learning must be preponderant. I said, that I should consider it my duty to resist the adopting of any plan of Reform that should be brought forward: I spoke as a Minister of the Crown, and as a Minister of the Crown I meant to resist Reform.

The noble Lords say, that this statement of mine caused great enmity to me, and created that spirit of Reform which has since pervaded the whole country. I beg the noble Earl's pardon; but the spirit of Reform in this country was the consequence of the French Revolution. It is true, that ever since the American war a desire for Parliamentary Reform has been manifested in this country—it has been manifested particularly when any disturbance or insurrection has occurred in any of the neighbouring foreign countries—above all, since the French Revolution; and when there has been any extraordinary distress or difficulty in the country. At the same time, I believe that, from year to year, the manifestations of such a desire have been less frequent. I have, indeed, the authority of those most friendly to Reform for saying, that the manifestations of the desire for Reform were less frequent till the period of the Revolution of July, 1830, than they had formerly been for a number of years. It happened, unfortunately, that, a few days before the Ordinances were issued in Paris, his Majesty had dissolved the Parliament. At the elections, my Lords, a strong spirit of Parliamentary Reform was exhibited. In several contests, candidates for seats in Parliament were called upon to pledge themselves upon the subject of Parliamentary Reform. In many contested elections, the contest was decided in favour of the candidate who declared himself a Reformer.

The noble Earl has likewise referred to what I said on the 2nd of November, in this House, as the cause of the disturbed state of the city of London and its neighbourhood, and of the circumstances which occasioned the letter from the Secretary of State to the Lord Mayor, communicating to him, that his Majesty would not visit the city on the 9th of November.

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* Hansard's Parl. Deb. vol. xxxv. p. 428.

This letter was written on the 7th of November. The circumstances which rendered it necessary to write it were known to the King's servants on the 5th and 6th.

The noble Lords have the papers in their own hands. I beg to know whether, in their opinion, the information which we had received was sufficient to warrant the advice which we considered it our duty to give our Sovereign, and to obtain his commands, on the 7th of November? The noble Lords have not themselves thought proper to advise his Majesty as yet to pay a visit to the city. I may fairly presume, therefore, that our advice was judicious on the 7th of November.

But it is said, that the circumstances which rendered this advice necessary were occasioned by what I said in Parliament; that is to say, that having spoken in Parliament on the 2nd, the effect produced in the city, and in the neighbourhood, was such, by the 5th, that the King's servants were obliged to advise the King on the 7th not to visit the city. Is this possible, my Lords? I again call upon the noble Lords to say whether we were or were not justified in giving the advice which we did give?

My Lords, the state of the public feeling and opinion in London, as well as in the north of England, and elsewhere in the country, had been influenced by the state of affairs in France, in Belgium, and in other parts of Europe. It was the state of affairs which occasioned those circumstances which induced us to advise the King not to visit the city; and not any opinion of mine on Parliamentary Reform, delivered in this House on the night of the 2nd of November, and which could not have been known at all till the 3rd, and could not, therefore, have occasioned, by the 5th, the circumstances to which I have referred. Then the noble Lord has, notwithstanding my repeated contradictions and explanations, asserted that my opinions upon Parliamentary Reform, as delivered upon the 2nd of November, had occasioned the resignation of the King's late Ministers, my colleagues and myself. My Lords, we retired from the King's service on Tuesday, the 16th of November, because we found, that on Monday, the 15th, on an important question, we no longer possessed the confidence of the House of Commons. We decided in consequence to resign, and we actually requested his Majesty to accept our resignation on Tuesday, the day following.

If we had delayed to carry our design into execution, the great question of Parliamentary Reform, in which I cannot but think the interests of the monarchy are involved, would have been discussed in the House of Commons on Tuesday, and those interests defended by a Ministry no longer possessing the confidence of the House, and which must, therefore, have gone out of office.

If the question on Monday, the 15th of November, had been that of Parliamentary Reform, it is not clear to me that we should have been in a minority. My reason for being of that opinion is, that it appears on the division, on the second reading of the noble Lord's Bill in March last, many Members voted against it who had been in the majority on the 15th of November. Whatever might be the degree in which the Members of the late Parliament were pledged to Reform, I think myself justified in the statement, that my opinion upon Parliamentary Reform did not occasion our resignation; and that most probably it was not the cause of the loss of the confidence of the House of Commons. The noble Lord assumed his office on the 22nd of November, and on that day he stated to your Lordships on what principles he intended to conduct the Government of the country. Among other intentions he stated that of proposing a plan of Parliamentary Reform. He stated, that he had obtained the King's consent to enable him to bring forward this proposition, as the Minister, and with the power and influence of Government. The noble Lord's words upon that occasion were very remarkable, and deserving of your Lordships' attention.

Your Lordships will observe, that the noble Lord told you that he intended to found his plan of Reform 'on the basis of 'the institutions of the country;' and, as he explained, 'a Reform, limited by a 'desire to stand, as far as prudence will 'permit, by the ancient landmarks, and to 'prevent the sudden disturbance of our 'settled institutions by too large and extensive changes.' He now tells you, that he had brought in a measure which would effect a great change in them; and the noble Secretary of State adds, that these changes must be followed by others. They must be so followed, or the government of the country will be impracticable.

A bill was introduced into the other House of Parliament, according to the noble Lord's plan, which, after long discussion, was read a second time by the decision of a small majority. This measure altered everything—it changed or destroyed every interest in the country. Instead of proceeding upon the basis of the established institutions, it destroyed them all; and, among other things, altered the relative numbers of the Representatives in Parliament from the different kingdoms of the united empire.

It was proposed in the House of Commons, that the proportion of Representatives for England should not be diminished, to which proposition, after long debate, the House of Commons agreed by a majority of seven. The principle of the noble Lord's bill had been agreed to. Why did not the noble Lords persevere and carry through their Bill, making such alterations as might render it palatable to the House of Commons, and consistent with the established practice of the Constitution? This did not suit their purpose. They dissolved the Parliament, and advised their Sovereign to appeal to his people. I attribute all our misfortunes to that event. The noble Lords advised their Sovereign upon that occasion to come to Parliament, and to make this speech:—

'I have come to meet you for the purpose of proroguing this Parliament, with 'a view to its immediate dissolution.

'I have been induced to resort to this 'measure for the purpose of ascertaining 'the sense of my people, in the way in 'which it may be most constitutionally 'and authentically expressed, on the expediency of making such changes in the 'Representation as circumstances may seem 'to require; and which, founded upon the 'acknowledged principles of the Constitution, may tend at once to uphold the 'just rights and prerogatives of the Crown, 'and to give security to the liberties of 'my people.'*

The dissolution then made, and the Speech delivered by his Majesty, were both upon a principle entirely different from that of the precedents according to which the measure was adopted. In 1784, the King, George 3rd, differed from his Ministers upon a great question. They retired from his service, and his Majesty appointed other Ministers. Those Ministers did not enjoy the confidence of the House of Commons, and the King dissolved his Parliament, and put an end to the session, in the words which I am about to read to your Lordships:—

'On a full consideration of the present 'situation of affairs, and of the extraordinary circumstances which have produced 'it, I am induced to put an end to this 'session of Parliament.

'I feel it a duty which I owe to the 'Constitution and to the country, in such 'a situation, to recur as speedily as possible to the sense of my people by calling 'a new Parliament.

'I trust that this measure will tend to 'obviate the mischiefs arising from the 'unhappy divisions and distractions which 'have lately subsisted; and that the various important objects which will require 'consideration may be afterwards proceeded upon with less interruption and with 'happier effect.

'I can have no other object but to preserve the true principles of our free and 'happy Constitution; and to employ the 'powers entrusted to me by law for the 'only end for which they were given—the 'good of my people.'*

I will not give your Lordships the trouble of listening to the perusal of the case of 1807, which stands precisely upon the same principle as that of 1784. In both, the King differed in opinion with his Ministers and with the Parliament upon measures upon which his Majesty had decided; and he appealed to the sense of his people, and called upon them to elect a Parliament which should give their confidence to the Ministers of his choice, in carrying on the measures which he approved. The transaction was brought to a close before the appeal was made to the people. The people were not called upon to deliberate upon any measure; but the appeal to them was rather, it may be said, in favour of the men whom his Majesty had named as his Ministers. In the case of 1831, however, the noble Lords have advised their Sovereign to refer for discussion to the people—not whether the King was to be supported in naming his Ministers—not whether Parliament is to be reformed, because, upon the principle of Reform, there was a majority in the late

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* Parl. Debates, Third Series, vol. iii, p. 1810.

* Hansard's Parl. Hist., vol. xxiv, p. 774.

House of Commons—but upon a particular plan of Reform, which was accordingly discussed throughout the country.

It is on the ground of the dissolution, and of this Speech from the Throne, that I charge the noble Lords with having excited the spirit which existed in the country at the period of the last general election; and with having been the cause of the unconstitutional practice, hitherto unknown, of electing delegates for a particular purpose to Parliament—delegates to obey the daily instructions of their constituents, and to be cashiered if they should disobey them, whatever may be their own opinion; instead of being, as they have been hitherto, independent Members of Parliament, to deliberate with their colleagues upon matters of common concern, and to decide according to the best of their judgment, aftersuch deliberation and debate. This is an evil of which the country will long feel the consequences, whatever may be the result of these discussions.

My Lords, this measure, thus debated by the people, and thus brought forward by the Government in Parliament, for the decision of Members thus delegated to give it the force of a law, alters everything; and requires, as the noble Secretary of State says, still further alterations in the State, in order to render it practicable to carry on the Government at all.

I will not, at this late hour of the night, enter much into the details of the system proposed, which have been well considered and exposed by my noble friends the noble Earl (Lord Harrowby) and the noble Baron (Lord Wharncliffe) behind me. One of my objections to the system proposed for the formation of the constituency of the boroughs and towns is its uniformity, and which objection was, by the by, mentioned by one of my noble friends. The electors are all the householders, payers of a rent of 10*l.* and upwards; these householders, in towns in the south of England—I mean the counties of Kent, Sussex, Surry, Hants, Berkshire, and Oxford—will consist of the occupiers of every house in such towns as will not require a supplement under the Bill to be allotted by the Commissioners; these will be generally the shopkeepers—a class of persons of all others the most likely to combine in political views—and to be acted upon by political clubs and societies of the description of that formed some months ago in the Strand, with a view to assist these newly-formed corporations in selecting their Representatives in Parliament.

It is true that this society dissolved itself as soon as its existence was observed upon here or in the other House of Parliament. But political combinations among these voters in boroughs and towns will hereafter be much more probable than it has been heretofore among the various interests of which the borough constituency has been formed.

These combinations, or the influence of such an association as I have described and has existed, would be very injurious to the public interests. I beg your Lordships besides to observe, that in nearly every town not requiring a supplement, every householder will have a vote, including daily labourers, every description of menial servant, waiters, hostlers, postilions at inns, and such like. In respect to counties it appears that sixty-two Members are to be added to this branch of the Representation; of which fifty to counties to be divided, two to Yorkshire, and ten to counties which are to have three Members each. An addition is to be made to the county constituency, by enabling 10*l.* copyholders to vote as well as freeholders and leaseholders holding tenements of 50*l.* yearly rent, and even occupiers of land paying that sum.

I cannot consider that this system will place the landed interest in the same relation towards the commercial or manufacturing interest, as that in which it stands at present. I doubt the county Representation, as it stands at present, being capable of protecting the landed interest of the country without the assistance of the Members of the close boroughs. These are the true protectors of the landed interest of the country. The increase of riches in all towns, owing to the vast increase of manufactures and commerce, has given great influence to the inhabitants of towns in all county elections. This influence will be increased by giving votes to copyholders and holders of 50*l.* leases: these are generally inhabitants of towns and shopkeepers. Throughout the whole of some counties in England, there is not a single acre of land, not in a town, held by a lease.

Towns placed in schedules A and B, deprived of their Members, will continue to influence the elections of Members for the counties in which they are situated—which elections will be farther influenced by other arrangements of the Bill; giving votes to the freeholders of certain counties of towns in the elections of neighbouring counties.

The Members for counties will, therefore, be nearly as much under the control of the constituency residing in towns, as the Members for the towns themselves will. But, my Lords, the question for us to consider, in the formation of this new system, is, not only what is the system which will best maintain the balance between the county interest and the town interest, but what will best form for the country a Government. That is the most important point for our consideration, and for the people. We must take care that, after all this shall be done, there will be a Government in the country.

We must consider not only the Representation of England, but likewise that of Scotland and Ireland. In respect to Scotland and its Representation, I do not know enough of either to pronounce whether the Representation ought, or ought not, to be reformed; but I must repeat the words of a noble Lord, whose loss I shall never cease to lament, respecting that country (I mean the late Earl of Liverpool) "that Scotland was the best-conditioned country in Europe." I believe I may say that it is one of the best governed countries in the world; and I am sure that for the last sixty or seventy years it has been the most prosperous.

We are bound to look at what is about to be done in respect to the Representation of Scotland. In counties in Scotland, freeholders, leaseholders, copyholders (allowing for the difference of tenure) and occupiers of land paying a rent of 50*l.* a-year, are to have votes, the same as in the counties in England. The inhabitants of towns will have the same influence over the elections for counties as in England; but this influence will be more powerful in Scotland than in England, because there are more large towns in Scotland, which, under the system, will not send Representatives of their own, than there will be in England. The county Members from Scotland can no longer be reckoned upon as supporters of the landed interest. The franchises of the borough towns in Scotland will be given to 10*l.* householders, as in England; and these will, of course, be in what is called the commercial or manufacturing interest.

In respect to Ireland, the change is the same as in England and Scotland. In Ireland, there are few holders of land excepting upon lease. But every tenant upon every estate will have a vote for a county. In the towns, 10*l.* householders are to vote. These towns may be divided into two classes, close Corporations, and counties of towns. The first were formed by King James 1st, for the purpose of supporting in Parliament the establishment of the Church of England in Ireland, upon which I will say a word or two presently. The returns for these Corporations are now to be made by the 10*l.* householders of these same towns.

In counties of towns the voters are to be the resident freemen of the Corporation, and 40*s.* freeholders, as at present, and resident 10*l.* householders. All these arrangements depart from those of the Acts of 1828. Those Acts left the right of election in Corporations, and in counties of towns, as they had been settled and left at the Union. They deprived 40*s.* freeholders of their right of voting for Members of counties, because it was supposed that the exercise of that right gave an undue preponderating influence to persons professing the Roman Catholic religion.

The 50*l.* leaseholders will, under the new arrangement, take the place of the 40*s.* freeholders, and all will equally be the tool of the priest. For the close Corporations established by King James, 10*l.* householders are to vote. These are all Roman Catholics.

In counties of towns we had refused to deprive 40*s.* freeholders of their franchise. The freemen of these Corporations are generally, if not always, Protestants, and they can be increased without limitation. The freeholders are generally Roman Catholics. We did not think proper to alter the balance between the two, by leaving to the Corporations the unlimited power of increasing its freemen, while the 40*s.* freehold right should have been extinguished. But the noble Lords have gone to work in another way, and, having first deprived non-resident freemen of these counties of towns, who are Protestants, of their votes, they have left untouched the Roman Catholic 40*s.* freeholders, and have besides added to the constituency of those counties of towns all the 10*l.* householders. These are likewise

Roman Catholics. The noble Lords have thus had the merit of establishing a Roman Catholic predominant interest in every county of a town in Ireland, in every close Corporation formed for the protection of the Church of England, and in every county.

I will refer presently to the consequences of these arrangements upon the interests of the Church of England in Ireland. In the mean time, I beg your Lordships to observe, that the Irish Representation in the Imperial Parliament cannot be considered as in the interest of the land.

The due balance between the landed interest and the commercial and manufacturing interest in Parliament must be considered a matter of small importance, in comparison with the more important object of considering what will be the sort of House of Commons which such a constituency, so formed, will give us.

Throughout the whole of the empire, persons in the lowest condition of life, liable to, and even existing under the most pernicious influences, are to have votes, or, in other words, are to exercise political power. Persons in those stations of life do exercise political power already; but in few places in large masses preponderating over the influence of other classes of society. What must we expect when these lower classes will preponderate everywhere? We know what sort of Representatives are returned by the places I have described. What are we to expect when the whole Representation, or nearly the whole, will be of the same description?

We hear sometimes of Radical Reform; and we know that the term applies to Universal Suffrage, Vote by Ballot, Annual Parliaments, and their consequences. But I declare, that looking at these changes pervading every part of the Representation, root and branch, destroying or changing everything that has existed, even to the relative numbers of the Representatives from the three kingdoms fixed by treaty, I should call this a Radical Reform, rather than Reform of any other description. Is there no danger that, bad as what is proposed, it will go further than would appear to be contemplated by the noble Lords? A noble friend of mine (the Earl of Harrowby) has stated the danger which will result from this measure, in consequence of the principle on which it stands. It stands, with respect to large towns, on the principle of population. Certain towns are selected to send two Members because they have above 20,000 inhabitants. Certain others to send one Member because they have above 9,000 or 10,000 inhabitants.

There is in reserve a number of about thirty or forty Members not yet allotted to any constituency. Will it be possible to refuse to extend the right of sending Members to Parliament to any town or parish, which may prove that its numbers exceed 10,000 or 20,000 inhabitants?

But we are told that this is not a question of numbers. How does it happen that there are four or five most beautiful, rich, and flourishing county towns in England, placed in schedule B? These county towns are not only rich in themselves, and by the settlements of gentry residing in their neighbourhood, but they are more populous than is required in order to continue in the enjoyment of their accustomed number of Representatives.

It happens, however, that a part of the population of each inhabit a part of the existing town, not in, but contiguous to the Corporation, as fixed by its ancient charters; such limits not containing 4,000 souls, the numbers required. We are then told that numbers have nothing to do with the various settlements of the Representation under this Bill!

Taking the whole view of this system of Representation to be established in England, Scotland, and Ireland, I cannot but consider that the House of Commons returned by it, will be a democratical assembly of the worst description; that Radical Reform, Vote by Ballot, and all the evil consequences to be expected from the deliberations of such an assembly, must follow from its establishment. I entreat your Lordships to pause before you agree to establish such a system in your country.

But we are told that the people wish for this measure; and when we express our sense of the danger which attends it on account of the democratical power which it tends to establish, an endeavour is made to calm our apprehensions by the assurance that the people are attached to the Government of King, Lords, and Commons.

If we are to rely upon that feeling of the people—if we are to adopt this measure because it is the pleasure of the people, and because they are attached to the Government of King, Lords, and Commons, why do we not at once adopt the measure which we know that the people prefer—I mean Radical Reform; that is to say, Universal Suffrage, Vote by Ballot, and Annual Parliaments? If we are to make a change, there can be no reason for not going the full length that the people wish, if we can be sure that the measure will not injure the Government, that to which they are attached, of King, Lords, and Commons.

But before we go further, it is desirable that we should examine what is the Government of King, Lords, and Commons, as established in this kingdom. In this Government the King is at the head of everything. All the power is in his hands. He is the head of the Church, the head of the law. Justice is administered in his name. He is the protector of the peace of the country, the head of its political negotiations, and of its armed force—not a shilling of public money can be expended without his order and signature. But, notwithstanding these immense powers, the King can do nothing that is contrary to law, or to the engagements of himself or his predecessors. The King calls Parliament to assist him with its counsels, *de arduis regni*, and those are responsible for his acts who carry them into execution. His Ministers are responsible not only for the legality, but for the prudence and fitness of his acts. To whom are they responsible? To this, and the other House of Parliament, to the latter principally, on account of the greater activity of its inquisitorial power—on account of its possessing exclusively the power of the purse, and for other reasons. Every act of the Government, or of the King, is liable to be brought under discussion in, and is, in fact, controlled by the House of Commons; and for this reason alone, it is important that we should consider of what description of men the House of Commons is likely to be composed, when we are discussing a question of Parliamentary Reform, in order that we may be quite certain that they will exercise their high functions with wisdom and discretion.

It was on these grounds, that I some time ago called upon the noble Earl to state by what influence he intended to carry on the King's Government in Parliament, according to the principles fixed at the period of the Revolution, and in practice from that period to this, when this Reform Bill should be passed. The noble Lord answered immediately—not by means of corruption. I am aware of that, my Lords. I am convinced that the noble Lord is incapable of resorting to such means, as I hope he believes that I am incapable of resorting to them. I did not consider this any answer to my question, which I repeated in a subsequent discussion, on the motion of my noble friend, the noble Baron behind me (Lord Wharncliffe). The noble Earl said, that the Government had nothing to do with such questions; that Parliament was to decide for itself; and that there was no necessity for the interference of Government.

I beg your Lordships to consider what are the questions which in every week, and on every day, are brought under the discussion of the House of Commons—questions affecting the honour, the interests, the rights, the property of every individual in the country, which the King is bound by his oath to protect, and in the protection of which, all are equally interested. They are questions regarding the proceedings of Courts of Justice, regarding the use of the public force, and hundreds of others, which occur daily, in which every individual is interested. I put legislation out of the question: but can the King from that Throne give to his subjects the necessary protection for their rights and property? No, my Lords. It is only by the influence of property over the elections of Members of the House of Commons, and by the influence of the Crown and of this House, and of the property of the country upon its proceedings, that the great powers of such a body as the House of Commons can be exercised with discretion and safety. The King could not perform the duties of his high station, nor the House of Lords, if the House of Commons were formed on the principle and plan proposed by this Bill.

There is one institution which would become peculiarly liable to attack in such a House of Commons, to which I wish to draw the attention of the right reverend Bench, and that is, the Establishment of the Church of England in Ireland. This Church is the object of a fundamental Article of the Treaty of Union between the two countries, and is secured by Acts of both Parliaments, and the King is, besides, sworn to maintain its right and possessions; can any man believe that, when the Representatives for Ireland come to be elected in the manner proposed by the Bill, the Church of England in Ireland can be maintained?

I have already shown that these Representatives must be elected under the influence of the Roman Catholic hierarchy. Who are those who now show the greatest hostility to the Church, its rights and possessions?—the Members for populous places. The reason is, that the deprivation of the Church of their property is one of the popular objects of the day. The object of the Bill is, and its effect will be, to increase the number of this description of Members in Parliament, and to render the influence of this party predominant and irresistible.

I believe that the noble Earl (Earl Grey) has already found the Members returned by Ireland, under this influence, very inconvenient to himself, upon more than one occasion; and it appears, that the right hon. Gentleman, who conducts the affairs of Ireland in the House of Commons, was under the necessity, very lately, of giving up a measure which he thought important for the benefit and peace of Ireland, because the Members from Ireland, of this party, were opposed to it. How can the noble Lord suppose, that the Church of England can be protected, or even the Union itself preserved in a Reformed Parliament? There is no man, who considers what the Government of King, Lords, and Commons is, and the details of the manner in which it is carried on, who must not see, that Government will become impracticable when the three branches shall be separate; each independent of the other, and uncontrolled in its action by any of the existing influences.

A noble Earl (the Earl of Winchilsea) who has spoken on this side of the House, has made an observation to your Lordships, which well deserves your attention. The noble Earl has told you, that if you increase but a little the democratic power in the State, the step can never be withdrawn. Your Lordships must continue in the same course till you have passed through the miseries of a revolution, and thence to a military despotism, and the evils which attend that system of Government. It is not denied, that this Bill must increase beyond measure the democratic power of the State—that it must constitute in the House of Commons a fierce democracy: what must be the consequences, your Lordships will judge.

I will not detain your Lordships by adverting to the merits of the system of Government which has existed up to the present moment, upon which my opinion is by no means altered. No man denies that we have enjoyed great advantages; that we have enjoyed a larger share of happiness, comfort, and prosperity, for a long course of years, than were ever enjoyed by any nation; that we have more riches, the largest fortunes, personal as well as real, more manufactures and commerce, than all the nations of Europe taken together; the richest, most extensive, most peopled, and most prosperous foreign colonies and possessions, that any nation ever possessed. There is not an important position in the world, whether for the purpose of navigation, commerce, or military defence, that does not belong to us.

If this democratic Assembly should once be established in England, does any man believe that we should continue to enjoy these vast advantages? But a democracy has never been established in any part of the world, that it has not immediately declared war against property—against the payment of the public debt—and against all the principles of conservation, which are secured by, and are, in fact, the principal objects of the British Constitution, as it now exists. Property, and its possessors, will become the common enemy. I do not urge this argument as one in which your Lordships are peculiarly interested: it is not you alone, nor even other proprietors, who are interested in the protection of property; the whole people, middling classes as well as the lower orders, are interested in this subject. Look at the anxiety prevailing in every part of London, in respect to the great revolution to be made by this Bill. My noble friend, the noble Baron (Lord Wharncliffe) has been ridiculed for adverting to the opinions of tradesmen in Bond-street and St. James's-street. Those in Bond-street consist of more than 200 respectable persons, who are well able to form an opinion of the effect of this Bill upon the resources of themselves, the middling classes, and the poor, as they supply the luxuries of persons in easier circumstances, residing in that quarter of the town. Anything which can affect the resources of their customers, must be interesting to them, and they do feel that this Bill must affect property, private expenditure, and the resources of themselves, and of those whom they employ. The noble Lord on the other side, who adverted to this topic, greatly underrated the wealth of these tradesmen. I know of one, residing in Bond-street, who employs at all times from 2,000 to 4,000 workmen, whose trade depends, as well as the employment of this body of people, upon the expenditure of his customers: is he not interested in upholding the public faith, and the system of property now established in England? Are not the people, of all classes and descriptions, down to the lowest, interested in the maintenance of our extensive manufactures and commerce, in the conservation of our enormous dominions abroad, and the continued respect of all nations?

If I am right in thinking that this fierce democracy will be established in the House of Commons, does any man believe that that harmony can continue between the King and his Government and the House of Commons, so necessary to insure to both general respect, and to the King's Government the strength which is necessary to enable his Majesty to protect and keep in order his foreign dominions, and to insure the obedience of their inhabitants? We shall lose these colonies and foreign possessions, and with them our authority and influence abroad.

There is no instance of any country having maintained its strength or its influence in its foreign possessions, or the respect of foreign nations, during the existence of internal troubles and disturbance; and there is none of the existence, without such troubles, of a Government consisting of King, Lords, and Commons, independent of each other, and the Members of the latter depending solely upon the popular choice, and being delegates of the people. We have had an example in England of a House of Commons which was independent of the influence of the Crown, and of this House, and of the property of the country. After banishing or imprisoning the most respectable Members of this House, turning the Spiritual Lords out of it, and murdering their Sovereign, they voted the House of Lords useless. I will read your Lordships the account given by a man, who was knowing in his time, (Oliver Cromwell) of what this House became. 'The Parliament 'which had so vigorously withstood the 'encroachments of the royal power, became 'themselves too desirous of absolute au'thority; and not only engrossed the 'legislative, but usurped the executive 'power.

'All causes, civil and criminal, all 'questions of property, were determined 'by Committees, who, being themselves 'the Legislature, were accountable to no 'law, and for that reason their decrees 'were arbitrary, and their proceedings 'violent. Oppression was without redress, 'unjust sentence without appeal; there 'was no prospect of ease or intermission. 'The Parliament had determined never to 'dissolve themselves.

'At length the army interfered. They 'soon perceived that, unless they made 'one regulation more, and crushed this 'many-headed monster, they had hitherto 'ventured their lives to little purpose, and 'had, instead of assuring their own and 'their country's liberty, only changed one 'kind of slavery for another.'

This is the account of the state of a House of Commons acting independently of all influence, and of the state to which it brought the country. My Lords, I have stated to you what will be the probable action of the system established by the Bill on the Government of the country—that is the real question—what is the nature of our Government, and what the share of the House of Commons in its details; in what manner it controls them all; and how important the composition of that House is to the very existence of Government. I have shown you in what manner the protection of property by Government is necessary, and the dependence of all the sources of our national prosperity upon the continuance of a good understanding between the King and his Parliament. I have stated my reasons for thinking that all these will be destroyed by the Bill. I have likewise stated to your Lordships my opinion that the King's Ministers, by the Speech which they had recommended to the King to deliver from the Throne, on the 22nd of April, on the dissolution of Parliament, had excited the spirit which pervaded the late elections of Members to serve in Parliament, and had occasioned the election of delegates for a particular purpose, instead of Members of Parliament.

My Lords, the King's Speech, upon the occasion to which I have referred, has materially altered the state of this question. The people have been called upon by the King to deliberate upon it, and have been led to expect that a change would be made. In recommending to your Lordships to vote against this Bill, I earnestly intreat you to avoid pledging yourselves, whether in public or private, against any other measure that may be brought forward. I recommend to you to keep yourselves free to adopt any measure upon this subject, which shall secure to this country the blessings of a Government. By so doing, you will perform your duty by your country, and will deserve its thanks, and the gratitude of posterity.

Viscount *Melbourne* wished to say one word in explanation with regard to a point on which the noble Duke had misunderstood him. He did not assert that this Bill would be productive of change in every branch of the State, and in all the institutions of the country; what he did say was, that it could not be denied, that it introduced a considerable change into the mode of constituting the Commons House of Parliament.

The Marquis of *Lansdown* rose, but was met by [*loud cries of* "*adjourn, adjourn;*" "*go on, go on;*" "*hear, hear.*"] The noble Marquis said, that he was always willing on such occasions to consult the wishes of the House. He rose for the purpose of making a few observations in reply to what had fallen from the noble Duke, and from other noble Lords in the course of this debate; but if the House pleased, he had no objection to postpone those observations till to-morrow.

Debate adjourned.

HOUSE OF COMMONS,

Tuesday, October 4, 1831.

MINUTES.] Bills. Read a third time. Cotton Factories; Augmentation of Benefices. Read a second time; Special Constables.

Returns ordered. On the Motion of Mr. SPRING RICE, for a Copy of the Report of the Commissioners of the Holyhead Road for the improvement thereof:—On the Motion of Mr. LAMB, for Comparative Accounts of the Population of Great Britain in 1801, 1811, 1821, and 1831, with the Annual Value of Real Property, in the year 1815; also a statement of Progress in the Inquiry regarding the Occupation of Families and Persons, and the Duration of Life, as required by the Population Act of 1830:—On the Motion of Mr. HENRY GRATTAN, for a return of the Constabulary Police in Ireland during the last year, their Force and all the expenses attending them.

Petitions presented. By Mr. RUTHVEN, from the Merchants of Galway to establish the constituency of that place in the Resident Merchants, Traders, and Artizans. By Mr. HARVEY, from the Traders of Brighthelmstone, for an Act for the more Speedy Recovery of Small Debts. By Mr. LAMBERT, from the Inhabitants of New Ross praying the House would adopt measures to complete the Kilkenny Canal; and from the Catholic Inhabitants of the Union of Tentevir, Rosegarland and Inch, against any further Grant to the Kildare Street Society. By Mr. MORE O'FERRALL, from Athy, Kildare, praying that the Yeomanry Force (Ireland) may be disbanded.

FINES AND RECOVERIES BILL.] Mr. *John Campbell* brought in a Bill for the abolition of the present system of effecting Fines and Recoveries. The Bill was read a first time, and on the Motion that it be read a second time on the 11th instant, the hon. and learned Member stated, that he had no hope of carrying the Bill through Parliament this Session, but he wished it to be printed, that it might be generally known. It was unnecessary for him to say any thing of the alterations he proposed, as this part of our law had long been a disgrace to us; it was the remnant of feudal barbarism, and the alterations proposed by the Bill had the sanction of the Commissioners of Law Inquiry.

Sir *Charles Wetherell* was glad that time was to be given for the consideration of this very important subject. He admitted that some improvement was requisite, but at the same time he could not believe that the system of fines and recoveries as at present existing ought to be described as a relic of feudal and barbarous times. If improvements could be made in the ancient forms of the law he would not oppose them.

Mr. *Strickland* wished to ask the hon. Member (Mr. Campbell) whether at this period of the Session it was his intention to press the further consideration of the General Registration Bill? He hoped, even if it were so pressed, that the county of York would be excluded from its operation.

Mr. *O'Connell* thanked the hon. Member (Mr. Campbell) for having introduced so many legal improvements. With respect to the system of fines and recoveries he would only say, that he differed in opinion concerning it, from the hon. and learned Member. It commenced with learned Judges in other times, who were more enlightened than the Legislature, and who by the introduction of such a system had actually usurped the power of an Act of Parliament.

Mr. *John Campbell*, in answer to the question of the hon. Member (Mr. Strickland), could only say, that his pressing the Bill or not must depend upon the duration of the present Session. If the Reform Bill passed, which he hoped God might grant, the Session would be prolonged, and in such a case he would certainly press it upon the consideration of the House.

The Bill was then ordered to be read a second time on the 11th.

General Registry Bill.] Mr. *Ayshford Sanford* presented a Petition from 1,200 Landowners and Inhabitants of the county of Somerset, against the Registration Bill. The petitioners represented to the House, that the measure would seriously affect the owners of small properties. They stated, as a fact, that two-thirds of all the existing mortgages were on properties which were under the value of 300*l.* He hoped the hon. Member would not press forward the Bill at present, or he should feel bound to oppose it.

Mr. *Strickland* said, they had an institution of this nature in Yorkshire since the time of Queen Anne, and it was now expected that institution was to be abolished wantonly and from the mere love of change. It would excite less alarm if the deeds were to be deposited in each local district, rather than to have one central mausoleum to hold them. He had a strong suspicion that the whole affair would turn out to be a job. He was instructed by his constituents to require that Yorkshire should be exempt from the operations of this Bill.

Lord *Morpeth* said, he had obtained the promise of the hon. and learned Member (Mr. John Campbell) that Yorkshire should be excluded from this Bill, and he was sure that no breach of faith would be committed towards him.

Mr. *John Campbell* said, that if the Registration Bill were passed into a law it would reduce expense; and as to the notion of this measure being a job, he would ask was he accused of jobbing? He could assure the House that he had refused much higher offices than ever the Chief Registrar under this Bill could expect to enjoy. He was also charged with something like a breach of faith; but he denied that any such charge could be made against him. When the Bill went into the Committee the noble Lord would be at perfect liberty to move that Yorkshire should be exempted from the operation of the Bill.

Lord *Morpeth* disclaimed intending to make any imputation of breach of faith against his hon. and learned friend (Mr. J. Campbell), but if the Bill went into the Committee he would move that Yorkshire be exempted from its operation.

Mr. *Hunt* said, that the reason why the people considered this Bill to be a job was, that all the lawyers in the House were in favour of it.

Mr. *Croker* expressed his entire approbation of this Bill. The necessity of a registry for landed property was so self-evident a proposition, that he was quite surprised it could meet with any opposition. If this Bill were carried, its author would do as much for the benefit of the country as any other individual had ever been able to accomplish.

Mr. *O'Connell* said, the Bill was highly necessary, and it should have his most decided support. It was so much the reverse of a professional job, that it would lessen the emoluments of every branch of the legal profession.

Mr. *Crampton* concurred in the necessity of a general registry of landed property not only as a security to landed proprietors, but to other classes who advanced money on landed property.

Mr. *Burge* said, that a measure like the present should not be precipitated through the House. Time must be allowed for its provisions to be understood, and it ought to be most fully discussed. It should certainly be printed and distributed before it was further proceeded with.

Petition to be printed.

Colonel *Sibthorp* presented a similar Petition from the Corporation and general Landowners of the city of Lincoln. A system of registration could afford no security to property, and in fact its adoption would only gratify idle curiosity. It would do small landowners a serious injury and he certainly would oppose it at every stage.

Mr. *Wilks* said, there could be no doubt, but that in many districts of the county of Lincoln there was a strong feeling against the Registration Bill. He hoped, at least, that the Bill would not be pressed during the Session, and that the whole country might have time to consider it.

Petition to be printed.

Newtownbarry Affair.] Mr. *Henry Grattan* moved, that there be laid before the House a copy of the memorial of James Nowlan and others, dated August 16, to the Lord Lieutenant of Ireland, regarding the conduct of Captain Graham and the Reverend W. Morgan, two Magistrates of the county of Wexford, for declining to receive bail, and grant the required information, on the charge of burning the house of one of the Newtownbarry Yeomen, together with his Excellency's reply; also, for copies of any further communication received by the Irish government relating thereto. After what had passed, he did not see how the Motion could be refused.

Mr. *Crampton* said, he had not the least objection to the production of the papers which the hon. Member required. The subject had been so recently and fully discussed in the House, that he could throw no new light upon it by any further observations at present.

Mr. *Lefroy* said, the name of Captain Graham had been introduced, but to prevent any unfair inferences from being connected with the mention of that officer's name, he begged to remind the House, that Captain Graham had not issued the warrant on which the parties were apprehended, and it was not the custom in Ireland for one Magistrate to interfere with respect to warrants issued by another.

Sir *John Newport* said, if Magistrates were generally not to interfere with warrants issued by each other, cases of great oppression might be the consequence. A false delicacy should not prevent a Magistrate from endeavouring to remedy all abuse of power.

Sir *Richard Vyvyan* protested against the time of the House being consumed in this species of discussion, without the requisite preliminary steps having been taken in the Courts of Law.

Mr. *Henry Grattan* said, no Legislature ever held out a greater delusion to any country than when the House referred complaints against the magistracy to the Court of King's Bench. A greater farce could not be practised than an appeal in such cases to this tribunal.

Sir *Robert Bateson* thought it was highly improper to occupy the time of the House in such discussion, when so many other important matters remained to be discussed. He protested against the imputations of the hon. Gentleman against that high and excellent tribunal the Court of King's Bench, in which presided men of the greatest virtue and abilities.

Motion agreed to.

POPULAR EXCITEMENT.] Colonel *Evans* rose to propose a motion, which he supposed the House would agree with him in thinking one extremely proper to be entertained at the present moment. The motion he intended to make was founded on some proposition which had been made for the better preservation of the public peace, in consequence of the present peculiar state of affairs. It was the opinion of many, that there was no alternative between the success of the Reform Bill and a revolution, in case of its failure. Such being the opinion entertained by some, it was proper, he considered, that the House should be put in possession of the means adopted on a former occasion, when there existed reasons for apprehending popular commotion. It would be in the recollection of the House, that in November last, when the late Government issued a declaration against Reform, such was the excitement caused in the public mind by that act, that the Government thought it necessary to prepare for any commotion by making certain military arrangements. What those arrangements were was not generally known; but it was understood that, previous to the 9th of November, when his Majesty—then as much and deservedly revered as he was at this moment—was about to visit the City, all the regiments in the neighbouring counties to the metropolis were drawn together and distributed in different parts of the metropolis, to act against the people. He had heard also, that in addition to all this, every policeman received private instructions, which authorized him to select a friend, who was to act with him. His object was not now to question the propriety of that proceeding, but to attract attention to a crisis, which was not only not dissimilar to the one in question, but, as it appeared to him, of infinitely greater moment and danger. He thought it would be only prudent to provide for the apprehended danger, and place the public peace on a more secure basis than at present. He would beg leave to move an humble Address to his Majesty "For copies of papers remaining in any of the public offices, tending to show the extent of the insurrectionary movement expected to have broken out in the metropolis on the 9th of November last: also, of any arrangements or plans of operation for putting down the same by force of arms, so far as these may be communicated without detriment to public safety: also, returns of expenses for movements of troops collected to be in readiness to act against the people on that occasion, or incurred for any addition to the defences of the Tower, towards increasing the cannon and musket-fire capable of being brought to bear from it against the surrounding streets or buildings."

Sir *Henry Parnell* was of opinion that the hon. Gentleman had shown no grounds for his Motion. The hon. Gentleman did not object to the propriety of those arrangements; and that nothing more had been done than was expedient, and not only usual, but the duty of every commanding officer to do on such occasions. He had made inquiry, and had ascertained that nothing more was done than to have the military in readiness to assist the civil power. He therefore hoped the honourable House would not give its consent to the Motion.

Mr. *Hunt* said, the gallant Colonel had mentioned insurrectionary movement; he (Mr. Hunt) could give him every information about that; and he therefore begged leave to say a few words on the subject. A few days before the 9th of November, he was chairman at a very crowded Radical Reform meeting in the Rotunda: 2,000 or 3,000 people were present, and a great number could not obtain admittance. About 300 waited round the door for some time, and then, by a general rush, made their way into the passage, stole three or four tri-coloured flags, and then went out again in a body, making loud outcries. They were met by the police, who gave them a good drubbing. This was the insurrectionary movement, and this only. As to any danger which would have attended the King on going to the City, he could only say, his Majesty might have walked, without the slightest danger, all the way from his palace.

Sir *Robert Peel* said, as the House seemed much averse from entertaining this Motion, nothing was requisite for him to do but remind the House, that he had at the time fully explained the motives which induced the Government to take the precautions alluded to. He had then adverted to the communications which had passed between the Government and the Lord Mayor, and said, that from these and the symptoms of popular discontent then observable, the Government had exercised a sound as well as a humane discretion in securing the public against the miseries of a popular commotion, by proproviding means for its immediate suppression. The precautions were entirely defensive; and, had the necessity for ascertaining the fact occurred, they would, he believed, have proved effectual, and, by prompt interference, have averted the anarchy and bloodshed which must have been the consequence of a want of preparation to meet such an exigency. He hoped never to see a Ministry neglect such precautions. He would only beg the House to bear in mind the events of 1798, in comparison with the crisis alluded to by the hon. Member; and then he did not doubt their concurrence in his opinion—that humanity, as well as good policy, required that those precautions should be taken. Those precautions were not to act offensively against the people, but defensively, and for the protection of their best and dearest interests, which were inseparably dependent on the preservation of the public peace.

Colonel *Evans*, in justification of his Motion, referred to a paragraph in the report of the right hon. Baronet's speech, delivered at the time, in which he was represented to have said, that the reason for putting a stop to the intended visit of his Majesty to the City was to prevent a collision between the military and the people. He certainly was of opinion that, in the present critical state of affairs, some inquiry was necessary for the purpose of averting the threatened danger.

Sir *Henry Hardinge* deprecated any motion like the present; it could lead to no good purpose, and was, on the contrary, likely to mislead the public. No other preparations had been made at the Tower than those which were necessary, and only of a defensive nature. He acquitted the gallant Officer of any intention to convey to the troops a notion that they were not to obey the directions of the Executive as well as those of their superior Officers when constitutionally given. The troops, he was sure, would always do their duty.

Motion negatived without a division.

PARLIAMENTARY REFORM—BILL FOR SCOTLAND—COMMITTEE.] Lord Althorp moved the Order of the Day for the House going into a Committee on the Scotch Reform Bill.

General *Palmer* said, that as the present was his first opportunity of speaking upon the question of Reform, he hoped he might be allowed to state his opinion of the general measure, and as in what he had to say he should abstain from any argument already urged in the debate, he trusted it might be considered a claim to the indulgence of the House, and an earnest that he would trespass as shortly on its time as the deep importance of the question would allow him. He had ever held the same opinion of the absolute necessity of Reform, and to the full extent of the present measure, and could not express it more strongly than in the few words of the late Mr. Pitt, which he begged to quote as the text of his argument to support it:—'Without a Parliamentary Reform the nation will be plunged into new wars; without a Parliamentary Reform you cannot be safe against bad Ministers, nor can good ones be of use to you. No honest man can, under the present system, continue Minister.' Such were the words of the late Mr. Pitt, before he came into office, and although the present state of the country was solely to be ascribed to the continuance and enormous increase of the abuses of the system under his Administration, the hon. Member firmly believed that Mr. Pitt when Minister, would have adopted Reform but for the causes which prevented it, and compelled him to abandon the attempt. The same excuse was to be made for each succeeding Government; and although he had ever opposed the system, and must have continued to do it under whatever Ministers, it was but the truth to say, that hitherto no Ministry could have carried the question of Reform; for the reason that, whatever the feeling of the Crown or the Aristocracy, the general feeling of the people was against it; but now that their eyes had at last opened to the necessity of the measure, and the public voice had called so loudly for it, the commencement of the present reign, with other fortunate events combining in its favour, had been the golden opportunity for any Government to have carried it. In the first place, what more fortunate than his Majesty's accession to the Throne at so critical a moment, being just in the nick of time to win the hearts of the people by that endearing conduct which, however natural in itself, was so unlike all precedent, that if it had happened to follow and not precede the great event at Paris, would have destroyed all its charm and all the good arising from it, in that reciprocal attachment and sympathy of feeling between the Crown and people, the best security for the interests of both? Secondly, the glorious Revolution at Paris, which not only had done immortal honour to the moral character of the French people, but the greatest service to the present question, by at once removing those fears which had been so long and deeply impressed in the minds of all classes in this country as to the danger of Reform, looking to the example of the former French Revolution. Thirdly, another Revolution in Belgium, not being (as in France) the immediate consequence of an act of tyranny without example, but arising out of the deep resentment of the people at the oppression of their government, which the example of Paris had occasioned to burst forth not only in Belgium, but more or less throughout the Continent; and lastly, the situation of the Holy Alliance, who, in spite of their treaties, and the sum of 2,000,000*l.*, thrown away by this country at the peace on fortresses to maintain them, were unable to combine against France or Belgium, having more than enough upon their hands at home. For all those reasons, the opening of the late Parliament by the King's Speech had been the golden opportunity for any Minister to declare the intention of Reform, and, above all, the individual to whom the country owed the deepest obligation for the adoption of that previous measure of the same moral and political character, but of far greater difficulty—Catholic Emancipation; and it was in the firm belief that the same necessity which had determined the late Minister upon the Catholic Question, would equally have induced that Minister to have carried Reform, which had led him to look with satisfaction to his continuance in office as the surest means of obtaining it, inasmuch as he would have had, not only the Crown and people, with all the strength of Government, on his side, but the same zealous and disinterested support of the Whigs which they had given him on the Catholic Question, and which would have enabled him to carry Reform in the same triumphant manner. But, however mistaken in such belief, he hoped it was all for the best that the cause of Reform was not in the hands of those who, in carrying the Catholic Question, declared it to be against their political feelings, and solely from the necessity of the case; but of that party who had ever been the friends of civil and religious liberty, and to whose eloquence and labour in the cause of both, the public were mainly indebted for every liberal measure adopted hitherto by Government. It was, therefore, under all these circumstances, looking to the state of parties in that House, and to all which had been said, both in and out of it against the present Ministers, that he had risen as an old, warm, but still independent friend, not only to defend their Bill, but also their motives in accepting office for that glorious purpose, against the heavy but unfounded charges of their opponents. To this effect he would very shortly state the grounds on which he made the following declaration in the face of the present House of Commons and the country. From the time he first came into Parliament, twenty-three years since, there had been no question before it involving the dignity of the Crown, the honour of Parliament, or the interests of the people, wherein his hon. friends, the Whigs, had not strictly done their duty; whilst all that had tended to degrade the Crown and Parliament in the eyes of the people, and to bring the country to its present state, had been solely the acts of their opponents. In making this declaration he would only trouble the House with two cases in support of it, the subjects of which were of a painful nature, but so deeply important to the question, that he rested his whole argument of the necessity of the Reform Bill entirely upon them. The first took place in the Session of 1809, being the memorable inquiry into the conduct of the Duke of York as Commander-in-chief, upon which important question he must just observe, that this case was in itself the strongest example of the want of Reform, because it could not have happened under a Reformed Parliament, for in a Reformed Parliament no Minister would have advised that unconstitutional act of the Crown, in the appointment of one of its own branches to the command of the army; whilst under the existing system he could not oppose it; and thus it had been to the present time, that, for want of a real Representation of the people in Parliament, to enable an honest Minister to do his duty as the constitutional adviser of the Crown, he had only held his office at the joint will of the Crown and the Aristocracy, commanding the majority in that House; and he did not hesitate in saying, it was to this abandonment of the principles of the Constitution, by destroying the balance of its parts, that the whole public debt of the country was solely to be ascribed. In proof of it he would refer to the speeches of the late Lord Chatham, and of Mr. Pitt, whose words he had quoted; and in repeating them, where he says "Without Reform the nation will be plunged into new wars," he would ask the Ministers who wrote, and all who had read the King's Speech at the opening of the late Parliament, if any thing could have prevented war but public opinion against it? With respect to the whole proceedings of the inquiry to which he had alluded, which did more to degrade the Crown and the House of Commons in the eyes of the people than all the previous questions in Parliament, he would assert, that the conduct of the Whigs, in their painful situation betwixt the Crown and the people, was in strict accordance with their duty; whilst the Ministers of that day, to support the system or to keep their places, sacrificed the honour of the House of Commons to the personal feelings of the Crown, first, by making themselves parties in the cause wherein they sat as judges; and, lastly, when the truth came out, in prevailing on the House to deny it, in the face of evidence which spoke for itself to the minds of the whole country; and thus, in setting public opinion at defiance, they raised a feeling of indignation throughout the kingdom, which nothing but the retirement of the Duke from office could have removed. And here, to prove what was of more importance to the question of Reform than the character of the Ministers, viz. the character of the people, in their firm attachment to the Crown, and to shew that all the excitement of the public mind on that occasion was solely against the Ministers and House of Commons, and not the Crown in the person of the Duke of York, he must mention the extraordinary fact of the re-appointment of the Duke to office, without any expression of public feeling against it, the reason being, that the people having carried the question of truth against the Ministers and House of Commons, by the retirement of the Duke, their resentment subsided with the removal of the cause; and thus the re-action of public feeling took place, the Duke having ever been popular with all classes, from the proverbial kindness of his disposition, and the openness, sincerity, and manliness of his character; and, considering how much he had suffered more than his conduct merited, the people, who did not understand the constitutional question of his appointment, were glad to see him back in office, as the only means of removing his disgrace. But for the country's sake, would that the public mind, that was now enlightened upon the subject, had been as well informed at that period, or rather at the time of the Duke's first appointment to the command of the army in Flanders, at the commencement of the war of the Allies against France; because the same public opinion which, in spite of the Ministers and the whitewashing vote of the House of Commons, drove the Duke from office, might have prevented that unfortunate appointment in the first instance, which, looking to all the political and constitutional mischief that necessarily grew out of it, he considered as one of the main causes of the present distress of the country. And now, in conclusion of this case, he must mention an instance of public virtue in the Whig Aristocracy of that House, which, in his opinion, was without a parallel in the parliamentary history of the country, namely, the conduct and speeches of the two noble Lords the Mover (Lord Milton) and Seconder (Lord Althorp) of the motion of censure against Ministers in the Session of 1811, for advising the Crown to the re-appointment of the Duke to office, wherein, looking on one hand to the trying situation in which their own elevated rank must have placed those noble Lords with respect to the Crown, and on the other to the unpopularity of their motion, both in the House and country, for the reasons he had stated, he had ever considered their conduct on that question to have established their character as the firmest and most uncompromising defenders in that House of the Constitution and the real liberties of the people; and in saying it he must add, that if he had had no other grounds for his confidence in the present Government, it would have been sufficient for him, the fact of the Chancellor of the Exchequer being one of the truly noble Lords of whom he had been speaking, the other noble Lord being, happily for Reform, and singularly under all circumstances, his colleague in the Representation of Northamptonshire. The last case was that of the equally memorable proceedings against the late Queen, wherein, upon all the important questions in the House of Commons, the conduct of the Whigs was dictated by the same constitutional feelings as in the case of the Duke of York; whilst for the other House it were unnecessary to say how much the country and the late Queen had been indebted to the powerful eloquence and support of the same party for the abandonment of that most dangerous of measures for the character of Parliament, and the honour, interest, and even safety of the Crown, the Bill of Pains and Penalties. And here, in answer to the heavy but utterly unfounded charge which in both these cases was brought against the Whigs, and which had been renewed on every occasion of their defending the cause of the people, by accusing them, as at the present moment, of endangering the safety of the Crown for the mere sake of office, he would appeal to candour and common sense, whether the noble Lord at the head of the present Government, who had distinguished himself above all others (at least of the order he belonged to) as the powerful defender of the late Queen, was it possible that the said noble Lord or others of the same place, or the present Lord Chancellor, the present Attorney General, or any of the Whig party who had stood forward as the defenders of the Queen, could, in so doing, have entertained a hope of office, not merely at the time, but during the lives of the late King, the late Duke of York, or the next in succession to the Crown? But, happily for the country, their honesty had been their best policy, and the more fortunate at the present moment, in the proof it had given to the people of the heart and head of that individual whose name he need not mention. And here, to return once more to the people, who in this case, as in the Duke of York's, were accused of disaffection to the Crown, he must beg the attention of the House, not only to the total want of truth in these charges, both against the Whigs and the people, but to the proof of their being the sole invention of the Tories, to support their system, and to prevent then, as they wished to prevent still, the only remedy for all our evils, a measure of Reform; for having proved that the Whig Aristocracy, whose own existence as an order depended on the Crown, might as well have been charged with the intention of destroying it as of getting into office by opposing it in the case of the Queen, so he would equally prove, that the people might as well have been accused of the desire of office as of disaffection to the Crown. But before he produced an evidence, so fortunate for their cause, that if he were one of those who ascribed chance to Providence, when it happened to their wish, it would tempt him to believe that Providence in this case had lent her hand. He would first ask why the people in the case of the Queen were not to be actuated by the same feelings as the Whigs, and to express the same indignation at the conduct of the Government, without being accused of that disaffection to the Crown, which, of all charges, was the most unfounded and inconsistent with the national character? And now, to set the question at rest, he would produce his evidence of their loyalty, not merely from the ranks of their accusers, but out of the mouth of the present leader of the Ultra-Tory party, being the unanswered and unanswerable speech of the hon. member for Boroughbridge against the Tory Ministers in the Session of 1821, upon the memorable question relative to the omission of the Queen's name in the Liturgy, at which time the learned Gentleman was the new and aspiring member for Oxford, being then in the prime of life, with his lungs in their full strength, and not in the dying state he had lately declared himself; and hon. Members who had only witnessed the last efforts of his eloquence might form some idea of its former character when assured that all the pelting of the storms of his abuse against the present Whigs had been like the dropping of "the gentle rain from heaven upon the place beneath," compared with his bitter reproaches of the Tories of that day, for what he had called their unconstitutional, illegal, radical, and revolutionary proceedings against the Queen, concluding one of the best speeches ever delivered in that House with declaring, if the Bill of Pains and Penalties had been brought down from the Lords, that he, the learned Gentleman, would have moved, as an amendment, to entitle it, "A Bill to deprive her Majesty of her just rights and privileges as Queen Consort of the Realms." And yet "within a month, or ere those shoes were old" in which he had so nobly defended her late Majesty, he walked over to the same Tory Ministry, and took his seat as Solicitor-General. The hon. Member hoped he had thus proved that the conduct of the people in the case of the Queen was dictated solely by the honesty of their hearts, and that sense of justice which led them to defend her cause with the same zeal which Ministers had betrayed against it, and to shew her all the respect in their power to console her for the treatment she had received. And here, in conclusion of this last case, he had been strongly reminded of it in the contrast betwixt the present people and those of former times, by the speech of his hon. friend, the member for Aldborough, who began his attacks upon the Bill in Committee with a comparison betwixt his own humble talent and that of preceding speakers in the debate, taken from a speech in the Play of *Richard the Second* which after describing the flattering reception of the usurper *Bolingbroke* upon his entry into London, with *Richard* a prisoner at his heels, proceeded to state how the citizens treated their unfortunate King; and if the House would allow him to add a quotation to the many which had been given in the debate, he would repeat the passage which his right hon. friend had called to his recollection:—

> "As in a Theatre the eyes of men,
> After a well-graced actor leaves the stage,
> Are idly bent on him that enters next,
> Thinking his prattle to be tedious;
> Even so, or with much more contempt, men's eyes
> Did scowl on Richard; no man cried God save him!
> No joyful tongue gave him his welcome home;
> But dust was thrown upon his sacred head;
> Which with such gentle sorrow he shook off,
> His face still combating with tears and smiles,
> The badges of his grief and patience,
> That had not God for some strong purpose steeled
> The hearts of men, they must perforce have melted,
> And barbarism itself have pitied him."

Such was the reception of the unhappy *Richard* by the citizens of those days when unkinged by *Bolingbroke*; but he thanked God that the present citizens took a warmer interest in behalf of the Queen so unjustly and illegally degraded by the Ministers; and, whatever their opinion, the feelings of the people did honour to their hearts, and the worst misfortune that could happen to the Crown would be the want of them. He had thus endeavoured to do justice to the present Ministry and the people; he hoped also to have shown that the distressed state of the country was solely to be ascribed to that system which the late Mr. Pitt, with the best intentions on coming into office, was unable to control; for it was but justice to his character to state the fact to those who might not know it, that Mr. Pitt, as Minister, had arranged and would have effected that great measure of Reform, the abolition of tithes, but for the breaking out of the French Revolution, which unfortunate event defeated his intention, and compelled him to enter into the war with France, in spite of his endeavours to avoid it. And thus Reform was of necessity abandoned; for war was the steam-engine that multiplied the power of the system, and all its expense and patronage the fuel which supplied it, whilst the loans that were raised for its support, being expended in the country, increased its trade and commerce, and by giving full employment to the people, enabled them to bear the taxes to pay the interest of the debt. Thus all went smoothly for a time, and thus corruption, "as if increase of appetite had grown by what it fed on," continued to spread, until the whole nation became so identified with the abuses of the system, and the enormous expenditure of the Government that no Ministry could stop it; and thus the evil was left to cure itself, as it had done at last, for the want of the means to prolong it, insomuch that it was only the general distress of the people, and their utter inability to bear longer the burthen of taxation, which, in opening their eyes at last to the necessity of Reform, had roused and combined their efforts to obtain it. And here he must tell the right hon. Baronet, in answer to all his speeches and solemn warnings of the consequences of the present measure, that it was this conduct of the people, the happy change of Ministry, and, above all, the unexampled firmness and wisdom of the Crown, which had saved the country from the calamity which the continuance of himself and colleagues in office must inevitably have produced; for if they believed in all they had said of the danger to the Crown and House of Peers from the present Bill, what must it really have been if the Crown and present Ministers instead of gaining by their conduct the hearts and affections of the people, had opposed their will and power. He had shown in both the cases he had quoted, that as to the question of Reform the people had always the power and they had at last brought it into action. Public opinion, and the weight of the people in the scale of the Constitution, had, in spite of abuses, and in spite of all the imposture of the present Representation, effected the measure of Reform. He had proved that twenty years since, public opinion removed the Duke of York from office; and it had stopped the proceedings against the Queen. And, lastly, what but public opinion and his own declaration against it removed the late Minister? And if the public mind had been as enlightened forty years since, and had spoken out then as it had done now, he sincerely believed, without joining in the praise or censure of the late Mr. Pitt, that as Minister, with the people at his back, he would have carried the question of Reform, and thus, by controlling the power of the Aristocracy in that House, would have prevented all the increase of the public debt, and have spared England and France all the misery which the unnatural war betwixt them, as regarded the interests of the people, had produced; but as the excess of evil produced good, so both nations had become the wiser and the better for their misfortunes. And, looking to the glorious example of France, he rejoiced that England had been actuated by the same spirit, because he was convinced, that all the people asked was justice, and that, with the knowledge of their power, they were too enlightened, and knew their real interests too well, to abuse it. And here he begged to make an observation relative to the attacks which had been made upon the friends of the measure, as the pledged supporters of the Bill, the whole Bill, and nothing but the Bill, according to what had been called the cuckoo cry of the people. Although the worthy Aldermen so attacked had justified the pledge and defended their constituents in calling their colleagues to account, and had been ably supported by other hon. Members, yet others, the friends of the Bill, had disclaimed such pledge, and had asserted the freedom of their votes. Upon this important question he must beg to say, that in agreeing to the independence of their votes as to the Government, he must deny it totally as to their constituents, for what was the use of a Representative in that House, unless to represent the voice of the body who sent him there? And although of necessity he was mostly left to his own discretion, because occasions like the present seldom occurred, yet, when they did, public meetings might well be called a farce, if the Representatives of the people were not to be bound by their decision, but were to set up their own opinions against the declared sense of their constituents. As to the charge against the worthy Aldermen, of being slaves, the cap only fitted those who had no constituents, or none but slaves to represent, viz., the Members of the nomination boroughs, who were as much bound in honour to vote according to the politics of their patrons, or resign their seats, as he, the Representative of the Bath Corporation, would have been bound to do the like, had not his constituents sacrificed their private interests to his feelings of public duty. And, in answer to the hon. and learned Members and others, who had spoken so warmly on the subject, he would ask whether, if any one of them had been the friend of Reform, he would sit in that House for the borough he now represented? As to what they had called the cuckoo cry, he must beg their pardon for thinking there was more sense in the cry than in the epithet they had given it; and if they must have a nickname for it, they should call it the goose cry, for, as history said of Rome, it was that which saved the Capitol, so future history would say of England, it was this cuckoo cry which, in carrying Reform, had saved the Constitution. For what had been the origin of the cry? Before the Reform Bill the cry was, for short Parliaments and the Ballot, and here, in defence of the people, he must say a few words upon that subject. He had always been a friend to the ballot, without questioning the sincerity of other Reformers who were against it, and in deference to their prejudices, he hoped the present Bill might prevent its necessity; but, in his opinion, there could be no real freedom of election without it: if it were not so, why had the ballot been invented, and why was it generally adopted by every club throughout the kingdom? This disproved the assertion, that it was an un-English practice, although it might be called so with reference to the practice of the Constitution, wherein the people were represented in appearance but not in fact; but even as at present, where the people had a voice, to substitute the ballot for the poll would give the substance for the shadow; the ballot too, in his opinion, was as necessary for the elected as the elector, and like the quality of mercy, which "blesseth him that gives and him that takes," was the only real protection of the honour and independence of both; it was the only protection of the elector against the undue influence of every kind to which he was liable in the exercise of that choice, which, to be truly free, should be free as his own thought, and the only protection of the elected against the necessity of asking what he should refuse as a favour, and which placed him in that situation with his elector, that ought to be as painful to both as it was inconsistent with their relative situations in life, and every true feeling of public and private honour. Again: it was the only effectual means of preventing the expense, and all the other evils, which open election contests must produce. And again, for the same reasons, it removed all the objections to short Parliaments. Such were the reasons which, in his opinion had justified the feelings of the people in favour of the ballot, and were the proof of their moral and intellectual improvement; whilst the Reform Bill had done credit to their hearts and understandings, in at once removing all their doubts and fears, and inspiring that confidence in the Ministers which their conduct had so well deserved. And now, what had been the origin of the cry but the conduct of the opponents to the former Bill, which had compelled the Government to advise the dissolution of Parliament? when the people, thus appealed to by the Crown, most wisely and constitutionally, not only chose for their Representatives the professed friends of Reform, but, to prevent all misunderstanding by leaving loop-holes to creep through, or pins to hang a doubt on, bound them to support the Bill, the whole Bill, and nothing but the Bill; or, in other words, to vote for the whole measure of the Ministers, and against all the amendments of their opponents, who, in the opinion of the people, had no object but to defeat it. Such then being the cause, what had been the effect, but, simply, that the Ministers, thus supported by the country, had again brought in the very same Bill, which, however excellent in itself, would never have been carried but for the cuckoo cry of the people, who, to follow the example of the cuckoo, had turned the late Ministry out of their nest, to hatch the egg of their own real liberty in it? And although this glorious triumph of the people was not to be seen by the right hon. Baronet, it was clearly seen, and as honestly confessed, by a late Member of the House, the oldest, strongest, and most consistent Tory in it—namely, the late member for Dorsetshire, who, in a most candid speech, told his late constituents, that however deeply he lamented it, the Bill, the whole Bill, and nothing but the Bill, was carried; thus declaring his opinion, as plain as words could speak it, that the Bill, so carried by the voice of the people in that House, should not, would not, could not, be opposed elsewhere. With this opinion he fully agreed, and for a reason so strong and natural, that he felt no doubt upon the subject. The first resolution of the House of Commons in every new Parliament, declared it was a high infringement of its liberties and privileges for any Peer to concern himself with the election of its Members; and he could not believe, in the face of such resolution, that any one of the many fathers here referred to, would place his son in that predicament, to compel him either to impeach his father's conduct or his own. And here he must beg to ask the noble Lord on the other side, who had so warmly expressed his feelings to the last—and of whom, although he had not the honour of a personal acquaintance with the noble Lord, if he might speak as he thought, he believed him to be "honest as the skin between his brows." He would ask the noble Lord, how he could reconcile to himself to be a Member of the House, solely through the means of that interference, against which, in the name of the people, he had so strongly and solemnly protested?—and further, if allowed to say it as an old Reformer in the House whilst the noble Lord was yet at school, he was sure, that when the noble Lord's apprehensions of the danger of the present measure should subside; and when the noble Lord was again a Member of the House, as no doubt he would be if he wished it, having all the advantages of rank, property, and his own personal merits to recommend him—the noble Lord would be more satisfied with his new seat as a Representative of the people than the one he now filled. Having thus availed himself of the indulgence of the House, he would no longer detain it than to express in the fewest words his opinion of the present glorious measure; which when the noble Lord, who had so well deserved the honour of the undertaking, first unfolded to the House, gave him all the delight expressed by other hon. Members, but without the least surprise, being not a jot more than he had expected from the Ministers; and which, to have been surprised at, were to have doubted their honesty, firmness, common sense, and the sincerity of their declarations on coming into office; for to have stopped short of what they had done, would have been only a half measure, that neither could have satisfied the people, nor have effected any real benefit for the country; whilst the present Bill had already paved the way for all the good to follow it, by the confidence it had inspired throughout the country in Ministers, who had sacrificed all their unconstitutional power, looking solely for their support to the good opinion of the people. As to all the charges brought against them, he thought the two noble Lords, the mover of the Bill, and the Chancellor of the Exchequer, who, between them, had conducted it throughout, had, in all their speeches, fully acquitted Ministers of every unworthy motive; whilst all the defects of the measure were solely to be ascribed to the necessity that compelled them, in framing it, to preserve as much as possible that ancient form of the Representation, which contained all the anomaly, inconsistency, and injustice their opponents had so much complained of. These defects the Ministers must have endeavoured to remedy as far as the case would admit; but the main object of their Bill was, a real Representation of the people; and considering the difficulty of the task, in prevailing on so many different Reformers in that still unreformed House to consent to so strong a measure, it had been no less to his surprise than satisfaction to see it carried through the Committee by such large majorities. The clause for the division of counties, against which so much had been said, was, no doubt, a necessary compromise on the part of Ministers, if such it could be called; but, with all his respect for the opinions of those who had been the warmest and most powerful friends to the Bill, he could not agree with their objections to this clause, nor the danger to be apprehended from it; insomuch that the Bill had given to the people all the power they wanted to protect themselves against it; and as to supposing the present to be a final measure, no hon. Member could seriously believe it; for it would be too much to assert of any Act of Parliament, and, above all, of the present Bill—of so new and complicated a nature, consisting of so many clauses, and the effect of which, like that which the removal of old London-bridge might have upon the Thames above it, no human being could pretend to say; nor what must yet be done to prevent any evil arising out of the great good which the destruction of that old, worn-out, rotten fabric, and the old, worn-out, rotten system of the late Tory Government, must produce. To this sincere opinion of the Bill he would only add, that, next to the measure itself, he considered the Government to have deserved the greatest credit for keeping it a secret to the last moment, and for giving way to their opponents in the late Parliament, upon the question of the new writ for Evesham, to prevent the danger of betraying it in a previous debate; and wherein he thought the right hon. Baronet and his friends had been caught in their own trap—for unless to obtain their secret from the Government, he could not believe they would have moved their bill to disfranchise Evesham, upon the very eve of the Reform Bill, without waiting to see if it were wanted. But however that might be, the Ministers had shown their sincerity and good sense, for with the intention of adopting the remedy for the whole evil, it would have been worse than useless to waste the time of the House upon so small a part; whilst the conduct of the right hon. Baronet and his friends had been like that of the old lady, who, when making one hole for her cat to go through, must need make another for the kitten—for where was the use of both Bills? And how, in the face of their own small measure, could they oppose this great and glorious Act, not for the punishment, but the prevention of the crime, and not, like theirs, an act of gross injustice, in disfranchising the whole electors of a borough upon the ground of the corruption of a part—thus punishing the innocent for the crime of the guilty, and reversing the maxim of the law, which declares it better that ninety-nine guilty escape, than one innocent suffer—and this too on the part of the late right hon. Secretary, whose labours in the Home Department, in the general amendment of the laws, had been the theme of praise throughout the country—and yet, upon the question of this glorious measure, which, in setting the example of virtue in the Government, had done more already to prevent corruption, and to raise the moral character of the people, than the whole bundle of his amended laws together; the right hon. Gentleman, in the face of his Evesham Bill, fights, tooth and nail, against it; and thus in his justice, wisdom, and morality, this "wise young man," this "upright Judge," this "second Daniel," makes an example of the single case, but defends the general practice. For how, in common sense, could he prevent the corruption of open boroughs, whilst, in general, seats were openly bought and sold? What reason could he give why the Evesham or Liverpool electors should not sell their seats, whilst boroughmongers sold their seats?—or why these poor and needy offenders should be punished whilst the practice was permitted in the rich? What, but this plain common-sense view of the case could have dictated the words of their former Speaker, who, more than twenty years back, upon the question of Reform, told the House that the bare mention of the sale of seats would have made their ancestors start with indignation? And well might the Government of that day, to support the system and prevent the exposure from such a quarter, do all they could to stop the public Press; but, now that the game was up, the system being fairly worn out, and that natural causes, with most fortunate events, had combined the Crown, the Government, and the people in the same just cause, he could not but think the right hon. Baronet, notwithstanding all he had said against it, would do best, even yet, to follow his own example, and, once more, make a virtue of necessity, especially now that he was out of office, when, without a question of his motive, he might fairly pay the debt he owed the Whigs, by helping them, as they helped him, and thus, between them, carry the two great measures of civil and religious liberty.

Lord *John Russell* wished to take that opportunity to reply to a very general report that had gone abroad, intimating that the Reform measure was not final, and was not intended as such by the Government. He begged to state, that he had always maintained that the measure was a final one. But when it had been argued there were certain anomalies in the Bill which would render it necessary to have recourse again to Parliament, he had answered, he did not think those anomalies would render any such application necessary, but that the measure must be judged by the effects it would produce. If it should work well for the prosperity and welfare of the country, then, of course, it would be final; but if, on the other hand, it failed of producing these effects, then it must be modified; but his full persuasion was, that the measure would fully answer the expectations of those by whom it had been introduced.

Sir *John Walsh* said, that when the proper opportunity arrived, he should move an instruction to the Committee on this Bill, to consider the propriety of giving Representatives to the Universities of Edinburgh, Glasgow, Aberdeen, and St. Andrew's, and he was quite sure, a proper and adequate constituency could be found for them in those Universities.

Sir *George Clerk* said, I rise to point out a provision of this Bill, which, in my opinion, is most objectionable, and which, upon consideration, I trust the noble Lord will be induced to abandon. I allude to that part of the Bill which establishes in Scotland a new Court of Appeal—I mean the Court which, in disputed cases, is finally to determine the validity of qualifications to vote. Considering the high character of the Sheriffs and Magistrates, who preside over Courts from which Scotland has derived the greatest benefit, I must protest against any provision which may tend to lower and degrade them. The Sheriffs of Scotland have a very important jurisdiction; they are vested with the power of trying civil causes of very considerable amount; they are themselves members of the Faculty of Advocates—men of eminence in their profession, and far removed from any party or political feeling. Therefore, if from such persons any appeal be allowed, it should be to one of the supreme Courts of the country. But by this Bill it is provided, that a certain number of persons, whose names do not yet appear, are to be appointed as a Court of Appeal from the decision of the Sheriffs. These persons, the clause enacts, are to be either of the Faculty of Advocates, or Barristers—meaning, I suppose, English lawyers [*no! no.*] Then this part of the Bill must have been prepared by some English friend of the learned Lord Advocate's, who is totally ignorant of the legal phraseology of the Courts of Scotland. In that part of the kingdom we have no such thing as a Barrister. Those who plead at the bar of the Courts of Scotland, are not called Barristers, but members of the Faculty of Advocates. Therefore, if the word "Barrister" in this clause do not mean an English lawyer, it is an absurdity, and could never have been inserted by any one who knew anything of the law, or the practice, or the phraseology of the Courts of law in Scotland. The clause provides, that a certain number of Advocates or Barristers shall constitute a Court of Appeal from the decision of the Sheriffs. Now, supposing that these persons are all to be members of the Faculty of Advocates, I still ask the House, whether it would be possible to devise any measure more calculated to lower and degrade the Sheriffs, than to render their decisions subject to the reversal of a body so constituted. It is further provided, that these persons are to be named by this House—that is to say, that they are to be named by the noble Lord opposite. I have heard a rumour that it is the intention of his Majesty's Government entirely to revise the Sheriffs' Courts of Scotland, for the purpose of introducing a new order, of course of a totally different nature. If such a thing really be in contemplation, it may be well to introduce into this Bill a clause for the purpose of degrading a Court which it is intended to abolish, but which at the present time is held in the highest estimation by the people of Scotland. There is not a single person connected with Scotland, whatever his general opinion upon the merits of this Bill may be, who does not reprobate this particular clause of it. I trust, therefore, that it will be removed. I should have supposed that it would have been a much more natural course to have appointed a numerous court or commission of lawyers as in England, and to have given an appeal from their decision to that of the Sheriff. Perhaps the best course to have pursued would have been, to have made the Sheriff of every county decide upon the qualification of the voters in that county; and, if any appeal from his decision were necessary, to give it to the Sheriffs of two or three of the adjoining counties. But of all the measures that could possibly be proposed, none, I am satisfied, could be more calculated to excite uneasiness and indignation in Scotland, than one which involves, as this does, the degradation of the Sheriffs' Courts. I have ventured, rather irregularly, perhaps, to call the noble Lord's attention to this point, previous to the Bill going into Committee, because I am sure that, upon consideration, he will perceive the propriety of abandoning so obnoxious a provision.

Lord *Althorp:* In the first place, I am obliged to the hon. Baronet for the courteous manner in which he has stated his observations upon this part of the Bill; but he is aware, or, if not, I must inform him, that the clause to which he alludes provides only for the first registration of voters, after the Bill shall have passed. The state of the case is this: it was deemed improper that the Sheriff should decide without an appeal; that appeal, it was originally intended, should be to a superior Court; but it was considered that, under the early operation of the Bill, the number of appeals, in all probability, would be very considerable; so considerable, as materially to interfere with the administration of the ordinary business of the superior Courts. Therefore it was provided, that for the first registration, and the first only, three Advocates should be appointed. With respect to the word "Barrister," I admit that it ought not to have been used. I certainly conceive that an Advocate is a Barrister—that the terms are synonymous; but as the peculiar phraseology of Scotland admits but of one, the other shall be omitted. I assure the hon. Baronet, that it never entered into our heads that English Barristers should be sent down to Scotland to determine upon the qualification of Scotch voters. I must also beg the hon. Baronet to believe, that nothing was further from our intention, in framing this clause, than to lower or degrade the Sheriffs' Court in Scotland. For my own part, I believe it to be a most valuable part of the local jurisdiction of that country, and for that reason no one would regret more than I should, the adoption of any measure which would tend to sink it in the public estimation.

Sir *William Rae* said, it being the object of the Government to assimilate the Representative system of the two countries as nearly as possible, I do not think that this appeal should be given from the decision of the Sheriffs. If the decision of the Judges of Assize in England is to be final, I do not know why, upon the same principle, the decision of the Sheriffs of Scotland should not be final also. No doubt can be entertained as to their equal competency; and as far as impartiality is concerned, the Sheriffs of Scotland have decidedly the advantage, since they are much less likely to be biassed by political motives than the Judges of Assize in England. The cruelty of the case is this:—that you draw a comparison between the Judge of Assize and the Sheriff, by vesting them with the same powers in the first instance; but by making the decision of the former final, and that of the latter subject to a reversal by a Court constituted of a body of Advocates, you do, in fact, lower and degrade the Sheriff in a manner which the people of Scotland will not bear to see. At this time of day I certainly did hope, that we should not have had such a provision introduced into any bill relating to Scotland. There is also another provision to which I must object, as drawing an invidious distinction between the Judges of England and Scotland. In England, the Judges of the supreme Courts are allowed to exercise their franchise as electors. In the present Bill, an express provision is made to prevent the Judges of Scotland from doing so. Formerly there might be a reason for this; and even as the law at present stands, I should not be anxious, or at least I should be indifferent, as to whether they were admitted to the franchise or not; but when the whole of the Representative system is changed, and any man in this country who occupies a 10*l.* house is allowed to exercise the franchise, I can perceive no reason why the Judges should not be admitted to the same right.

Lord *Althorp* replied, that as the particular clause to which the right hon. and learned Gentleman objects will come regularly under our consideration in Committee, I do not think that the present is either a convenient or proper time to discuss it. When the proper opportunity arrives, I think I shall be able to convince the right hon. and learned Gentleman that there is no ground for his objection.

Sir *Charles Wetherell:* The office of Sheriff in Scotland is, in some degree, analogous to what was the ancient office of Sheriff in England. Now that such an office as that, filled by the most eminent Scotch lawyers, is to be overhauled, degraded, and dethroned, and its decision made liable to the reversal of some half dozen radical lawyers, may, perhaps, do very well for a Reforming Government, but it is quite inconsistent with the existing Constitution. That the decision of the Sheriffs of Scotland should be liable to the reversal of such an extraordinary appellant body as that proposed to be constituted under this Bill, is a proposition so contumelious and disrespectful to those learned and useful, and, I will say, eminent and able Judges, that I confess I cannot work up my mind to such a pitch of credulity as to believe that his Majesty's Ministers are serious. Is there not some smell of patronage in the appointment of these Advocates [*hear, hear*]? Is it the hon. member for Ripon who interrupts me by that strange ambiguous sound, which leaves the mind in doubt as to whether it be meant for a "hear! hear!" or a "no! no?" Is he so weary that such slumberous sounds must needs escape him? or does he think that my observations are so pointless, witless, pithless, so dull, so heavy, so little bearing upon the subject, and withal so little in tune, as to be utterly unworthy of attention? Does he approve of the contumely cast upon the Sheriffs of Scotland by this Bill? Does he approve of the Scotch Judges not being permitted to vote? Does he remember who it was that adjourned an English Court to go down to Cambridge to vote at an election? But I forbear my interrogatories — the hon. member for Ripon, oppressed with his own heaviness, probably knew not the point I was discussing—I will remind him: I was contending, that it was extremely improper that the judgment of the Sheriffs of Scotland should be subject to the reversal of another Court, which I do not think likely to decide with propriety. That was the point which I was discussing; and as the hon. member for Ripon was pleased to interrupt me upon it, by what appeared to me to be a disapprobatory exclamation, I hope he will take an opportunity of informing us in a more regular manner, and in a more intelligible tone, what his opinions upon the subject really are. I should be very glad to hear from the hon. Member what argument he has to maintain the proposition, that the ancient, and well tried, and long approved, and much respected office of Sheriff in Scotland, should be lowered, degraded, and cast down, in the manner proposed in this Bill. The hon. member for Ripon never says anything—I have now said more than I intended—but that is often the case when a man who has much to say, or who has not much to say, but who still has some thing to say, is interrupted by one who has nothing to say, and who raises a cry which I will not call senseless, because that would be unparliamentary, but a cry quite destitute of all meaning.

Mr. *Hayes Pettit:* I trust I shall receive that indulgence from the House which is due to any of its Members who has been personally attacked, and attacked too without the slightest cause. Why the hon. and learned Gentleman should have selected me as the party who interrupted him, I really cannot tell. I was totally silent at the time—I did not interrupt him either by voice or gesture—I was silent and passive. But the attack savours of the inconsistency which distinguished the whole of the hon. and learned Gentleman's speech. In the first place, he accuses me of interrupting him by a cry, the meaning of which he defies any human being to define; and, in the next place, in the very succeeding sentence, he talks of my slumberous disposition and habits of somnolency. I own that, during my attendance in this House, I have sometimes felt rather thankful that I possessed the gift of somnolency, and could indulge it without the risk of noise. If we involuntarily nod in the course of any of the hon. and learned Gentleman's lengthy orations, can it be interpreted into an interruption? I do not understand the purport of the interrogatories which the hon. and learned Gentleman was pleased to address to me. I am not gifted with any judicial power; I have no Court to adjourn. The elective franchise I certainly possess, and have often exercised, but never at the expense of any suitors, because no man can sue before me. The hon. and learned Member has called upon me to give some opinion upon the question of Reform; and has commented, in his usual vein of satire, on the silence which I have hitherto observed. I will not, as a sort of retaliation, make any observations on the many useless and unnecessary speeches which have been made by the hon. and learned Gentleman; but I must say, that, considering the length to which the discussions on the question of Reform have been carried, I think it can hardly be considered a fair ground of complaint against any individual for not prolonging them. I am aware that there are individuals who complain of those on this side of the House, not on the score of their much speaking, but of their little speaking; in fact, because they do not choose to stand up as butts, or marks, for the Opposition to shoot at. I should not have risen upon the present occasion, except, perhaps, for the reason that the gentlest animal will turn when trodden upon. Having been called upon, by the observations of the hon. and learned Member, to present myself to the House, I will venture, even at the risk of being shot at, to give my opinion upon the question which has been raised. I see nothing derogatory to the Sheriffs of Scotland in the provision which it is proposed to make with respect to the final determination of the validity of qualifications to vote. Why the Sheriffs' Court is to be presumed to be an incompetent tribunal, because, upon a subject of this kind, an appeal is given from its decision to another tribunal, differently constituted, and to exist only for the first year after the Reform Bill shall have come into operation, I cannot understand. It seems to me that there is no ground for the assertion which has been raised, and therefore I shall be perfectly ready, if the necessity should arrive, to give my vote in favour of the clause as it now stands.

The House in a Committee.

The preamble of the Bill read by the Chairman.

Sir *George Clerk:* I wish to ask the noble Lord to consent to postpone the consideration of the first clause until after the other clauses have been gone through. This clause fixes the number of Representatives to be returned for Scotland: and if it were agreed to, it would prevent several alterations being made relative to the Scottish counties, which it is intended to propose in the Committee. In the preamble to the English Reform Bill, there was not a word said as to the number of Members to be returned by the counties and burghs; but all this is premised in the present Bill. I know that it was fixed at the time of the Union, that Scotland should return forty-five Members, but there can be no objection to make an addition to that number. I certainly think that it is inexpedient that this preamble should be argued, as we may, in the course of the Committee, see reason to give additional Members to some places, and then we shall have to retrace our steps. I know that there is a very strong feeling in Scotland in favour of the proposition for giving an additional number of Members to the Scottish counties, and I entertain strong hopes that the noble Lord will be induced to consent to this proposal. I am sure—

Lord *Althorp:* I beg pardon of the hon. Baronet; but I merely wish to observe, that I am willing, if it be thought desirable, to consent to the postponement of the preamble. With respect to the proposition for increasing the number of county Members in Scotland, I will merely observe, that I have not the least doubt in my own mind, that it would be inexpedient to consent to any such addition. I make this observation with a view to prevent any expectations being formed that I could support such a proposition. I shall not now go into the reasons that induce me to think so, but shall reserve what I have to say on the subject until the motion is made. I will merely observe, in addition, that it appears to me to be extraordinary, and even inconsistent, that those opposed to Reform should be such strenuous advocates of this proposition.

Preamble postponed.

On the question, "That the Burghs of Peebles and Selkirk stand part of schedule A,"

Mr. *Gillon* said, I rise for the purpose of proposing that the towns of Peebles and Selkirk be left out of this schedule, and that they shall continue to return a Member, as heretofore. I concur entirely in the propriety of the alterations that have been made in the Scotch Reform Bill, and I am much gratified that his Majesty's Ministers have proposed that a separate Member should be given to the great city of Perth. This place, in my opinion, is well worthy of having the choice of an independent Member. The feeling in favour of Reform is almost universal throughout Scotland; and I am sure that the persons whom it is now proposed to disfranchise would willingly abandon their privileges, if they considered that the retention of them would hazard the success of this measure. It is obvious, however, that this cannot be the case, and I do not think that anything has occurred that can justify such a course. I am not among the clamorous enemies of Reform, but have been a constant and tried friend, and I do most sincerely lament that the noble Lord should adopt so harsh a course towards these burghs. I cannot help feeling that I am bound to concur with the opponents of Reform in the view they take of the first part of schedule A, for it is in direct opposition to the principle laid down by the noble Lord; it begins with disfranchising the burghs of Peebles and Selkirk, which contain a most respectable and intelligent body of inhabitants, and would afford a constituency, both in numbers and character, against which no possible objection can be raised. I should be guilty of an act of injustice to the inhabitants of these towns, if I did not enter my protest against the disfranchisement. Since the announcement of the intention of his Majesty's Ministers on this subject, I have received a communication from the burgh of Peebles, from which I learn that there are no less than six petitions in progress against this proposal; and, in the meantime, the townspeople have requested me to enter their protests against the disfranchisement of these burghs. When Ministers abandoned their intention of uniting the counties of Selkirk and Peebles in the choice of a single Member, and permitted each of them, as heretofore, to return a Representative, there was no ground or necessity for throwing the burghs into the counties. I am convinced, that the adoption of this course will only lead to dissension and ill-will. If the burghs of Peebles and Selkirk had a Member continued to them, the householders in those towns would enjoy the suffrage; but, according to the present arrangement, they will not have it. The expectations which this most respectable class have looked forward to with so much joy, will thus be disappointed. The cup of happiness you have held up to their lips, and have now dashed it down, and deprived them of the satisfaction every man must feel in having a share in the choice of the Representatives of the people. I beg to observe, that I do not object to the town of Airdrie being added to this district of burghs; on the contrary, I am glad of it; indeed, I mentioned, in the first instance, to the noble Lord, that this would be a most proper place to be thrown into the district of burghs. We do not object to any addition that it may be thought expedient to make, but we do object to these two towns being taken out of the district. In justice, then, to the inhabitants of these burghs, and in deference to their wishes, I beg leave to move, that all the words relative to the disfranchisement of these places be left out.

Sir *John Hay:* Sir, I throw myself on the indulgence of this House, of which I have but lately become a Member, and shall endeavour, in a few words, to express my opinion of the clause of the Bill now brought under the consideration of the Committee. I find myself imperiously called upon to do so, by the very peculiar situation in which I am myself placed: were it not so, I believe there is no Member of this House so little likely to intrude his opinions, or occupy the valuable time of the Committee, as the humble individual who now presumes to address you. Sir, I have opposed this Reform Bill in all its stages; and no one here can doubt my sincerity in so doing, who reflects on the position in which I stand as Member of Parliament for the county of Peebles, and who has read the first clauses of the Reform Bill, applicable to Scotland. It were unreasonable to expect that I should act otherwise, and I feel it hard that I should be set down as one of those men who are opposed to all Reform, because I cannot consent to a bill, or series of bills, (were there no other reason to influence my vote), which contains a clause so hostile to the feelings of that respectable and independent body I have the honour to represent; and which clause, permit me to say, is equally unpalatable to all who may, by an extension of the elective franchise, be called on to partake of the rights which the law of the land has, from the remotest ages, restricted to the tenants *in capite* of the Crown. God knows, I am not the man to object to the extension of the elective franchise to all my countrymen: extend it as far and as wide as you can with safety and propriety. I am most willing, Sir, to give to all our countrymen a full and fair share of our political privileges; and I am also willing to give to them a full and fair share of the public local rates and burthens, which have hitherto been borne by the country gentlemen, who have exercised that elective franchise. For this arrangement, no provision is made in the Bill before us; and this Committee are well aware, that these burthens have never hitherto been allowed to press on the feuars, householders, or small tenantry, in any part of Scotland. Sir, I should be the last man to wish to keep up the ancient distinction of the salt on the table, and to have seats arranged above and below it. I should, for myself, invite all my countrymen to sit down together, and partake of the good things set before them by his Majesty's Ministers, "with what appetite they may," and I only trust that, before they rise from the table, they will discharge their fair share of the reckoning. Sir, having expressed myself thus, I must again say, I find it hard to be perpetually taunted by the Gentlemen opposite, as one hostile to all Reform, because I have stated my uncompromising hostility to this Bill. My worthy friend, the hon. member for Lancaster, told us last night, that this Bill, which I now hold in my hand, was the true spear of Ithuriel—a touch of which was the test who were, and who were not true Reformers. This was a high flight to take, and not unworthy of his brilliant imagination; but he forgot entirely, that the spear of Ithuriel was of ethereal temper, wielded by an angel, forged by no mortal hand, and not a two-pronged fork, of vulgar fashion, and of earthly fabric. Sir, in looking at the clause now under the consideration of the Committee, I have gone back to the preamble of the Bill, and there I can find nothing which justifies the introduction of such a proposition. Indeed, I must say, that the preamble of this Scotch Reform Bill seems to have as little connection with what follows, as many an ill-written prologue to a modern play, to which it has been inconsistently appended. I am, therefore, obliged to refer to the preamble of its great precursor, the English Reform Bill: for, like a little cock-boat, we must follow in the wake of the great vessel which sails before. Now, what do I find in that preamble? It is enacted, "to deprive many inconsiderable places of the right of returning Members, to grant such privilege to large, populous, and wealthy towns, and to increase the number of Knights of the Shire." Now, Sir, how is this preamble followed out in the Scotch Reform Bill? In the last edition of it, I do not find any one inconsiderable burgh struck out; and to this, Sir, I make no objection; it is right, and acting according to justice. But was there any intention of adding to the number of our Knights of the Shire? Quite the contrary. By the Bill which was read in this House a second time, our county Members were diminished by two, while sixty-seven (indeed, including the two additional Members lately given to Yorkshire, I may say sixty-nine) Knights have been granted to the shires of England. This clause has been amended; and we are now, per favour, placed where we stood before. In that Bill, there was a clause uniting the two separate, independent counties of Peebles and Selkirk; and, had it been persisted in, I was prepared to shew this Committee its gross injustice, and how little consonant it was to the interests involved in these two counties. These counties, Sir, have no connection, but a juxtaposition on the map; they are separated from each other by a district of mountainous country. There is, indeed, no direct practicable carriage road uniting them; and, so little connection have they hitherto had, that there is but one individual in Peeblesshire who, possessing a small patrimonial estate in the county of Selkirk, is a freeholder there, and is enabled to attend their Courts as a Justice of the Peace, their meetings of Commissioners of Supply, and of Road Trustees. But this very obnoxious clause has been withdrawn, and is now modified in another way; and I have been invited, by some of my friends here, to be content, and express my thanks for the consideration our case has met with. This puts me in mind of an old Scotch phrase, about being thankful for small mercies; but, Sir, I will quote the answer put into the mouth of one who stood in the situation I now do, receiving as a favour a small portion of what he was entitled to consider his own—I prefer giving the literal translation to the original—

> Such is the tyrant's gift; he robs you not.

But, Sir, could I bring myself to make an acknowledgment, I take this public opportunity—for I am not much inclined, nor likely, often to trouble this House—I take this opportunity of saying, that there is no man within the walls of this House to whom I would so soon or so willingly pay that compliment as the noble Lord, the Chancellor of the Exchequer; for I have been particularly struck with the open, candid, fair, and I will say (however I may differ in opinion with that noble Lord), the honest manner in which he has conducted himself during these arduous discussions; and I regret, also, that the Lord Advocate is not in his place, as I regret to hear the cause of that absence; for, although I am but little personally acquainted with that learned Lord, I will say that I know, however distinguished he may be by his literary attainments, he has rendered himself even more distinguished by the anxious solicitude he has shewn—consistently, of course, with his own principles—to forward the interests, and gratify the feelings of his countrymen. But, Sir, I must most strongly object to the new proposition made in this clause, to throw the royal burgh of Peebles into the county. This proposition, Sir, has been made, I presume, on the principle of the transfusion of blood. It is done with a view to transfuse a little fresh, warm, wholesome, democratic blood into what some choose to consider our old, worn-out aristocratic system. This is an ingenious device, but the contrivers of it forget that they drain the last drop from their healthy subject, while the unfortunate recipient feels little comfort or revival from the turbid flow in his distended veins. For, what becomes of the householders of Peebles, who are thus disfranchised? They have been strong advocates for this Reform; they wish anxiously to move with the mass of their compeers, and to continue united with those other burghs with which their destinies have been hitherto united. I leave their case, however, in the hands of the hon. Member who represents, in this House, their interests and opinions. I must further say, that I ground my objection to this amalgamation of county and burgh Representation upon the English Reform Bill; for expediency, convenience, or the will of the stronger, cannot form the groundwork of this union. If it be so, why were these reasons, if they can be called such, not set forth in the preamble to the Bill? I find, Sir, in the English Reform Bill, certain principles laid down. The line below which nomination falls, is fixed at a population of 2,000. The line above which no disfranchisement takes place, is a population of 4,000. I find Malton, with a population of 4,005, is safe, being beyond the mark. I find, further—and I beg the attention of the Committee to this fact, there being a vast difference between preserving what exists, and raising up new constituencies—that Gateshead has been constituted a burgh, and to it a Member has been given, not containing, in 1821, nearly the population of the county of Peebles. I find, further, Rutland untouched; with its 18,000 inhabitants, it retains its two Members; and upon these grounds, I claim the same consideration for the county I have the honour to represent. Peeblesshire contains nearly 11,000 inhabitants; and, Sir, I hold in my hand a list of what may be the probable constituency of the county under the new system. It was prepared by myself, when I had no hope, and, permit me to say, when I had no wish, to have the honour of a seat in this House, to which I have been called by the heavy loss we have sustained in our late worthy Member. The number of our new constituency, including the freeholders now on the roll, will exceed 450. I could wish to point out, without entering into other matters, what will shew, at once, the resources and the loyalty of our county. I hold in my hand a copy of returns made to the Home Department, between the years 1803 and 1809, which will shew the amount of the volunteer force kept embodied—a regiment of six companies of infantry, and one of sharpshooters, including staff: it amounted in all to 668, to which must be added a troop of yeomanry, making in all 726 men. In 1808, the volunteers were disbanded, and the Local Militia Act passed; since which period, an addition of another troop of yeomanry was made, doubling that constitutional force. Now, Sir, having made this statement in behalf of the county I have the honour to represent, I am the more strenuously induced to oppose this clause, nay, to divide this Committee upon the subject, that from the late hour at which this project was announced, I have had no time to consult my constituents. I have received only from one of them a short, hurried note, which states a general objection to the clause, and leaves me to do as I think best for them, relying on my honour; and were there no other ground of objection than this, I should urge my conscientious objection to this clause. I must state to this Committee—and it must always be disagreeable and painful to be obliged to state any thing which is personal to one's self—but this Committee can have no acquaintance with the position in which I personally stand. It cannot be supposed that they are much acquainted with a distant country, and a small county there, and still less with the position of the humble individual who now addresses them. But I refer to those of my countrymen present who are acquainted with me, and, in particular, to the hon. Gentleman who represents that district of burghs, whether he does not consider that I have personally a political interest in this affair. He knows, Sir, that my residence is in the vicinity of the royal burgh of Peebles—that more than half the parish belongs to me in property—that I have burgage lands and tenements in and round and adjoining to this royal burgh—that I have always been on the most intimate and friendly terms with those of that place who are likely to be called upon to enjoy the new franchise in the county—that I believe I may presume to say, that if I required it at any time, I should have well founded hopes of receiving their support. Sir, having stated thus much, for which I ought to apologize to the Committee, I must say, as a man of honour, I hold myself bound (were there no other grounds) to give this measure my decided opposition; and I put it to the candid and honourable mind of the noble Lord, whether I, as a man of honour, can act otherwise. I do therefore most earnestly entreat the noble Lord to use his most powerful influence to restore the householders of Peebles to the privileges of which they will, by this clause, be deprived; and that he will once more replace them in that class of burghs in which they have been classed since the union of the kingdoms; and, if he grants this, I shall feel, from the peculiar position in which I stand, that he is fully entitled, if I may be permitted to say so here, to my most warm, sincere, and personal gratitude.

Lord *Althorp:* After the speech of the hon. Member who has just sat down, I feel called upon to make some observations. I cannot help saying, that the remarks which have just been made do the hon. Baronet the greatest credit, but he will allow me to add, that the whole tenor of his speech would rather be an inducement with me not to comply with his suggestion than to adopt it. I never objected to that influence which a benevolent and intelligent landlord acquires over his tenantry; on the contrary, I think it most desirable that every thing should be done, that consistently can be done, to increase rather than to diminish this indirect influence of property. With regard to this question, I am sorry to be compelled to declare, that, after the best consideration I have been able to give to the subject, I cannot consent to comply with the Amendment of the hon. Member for these burghs. According to the arrangement proposed in the original Bill, the counties of Selkirk and Peebles were for the future only to return one Member conjointly, in consequence of the smallness of their constituency. There appeared, however, to exist great objections to the adoption of this course, objections of such weight and of so strong a nature, that we did not think we could in justice proceed. We found still the constituency of these counties so small, that we were obliged to look out for means of increasing it, and the result was, that we could devise no other course that we thought we could ask the House to sanction, than that now proposed—namely, to throw those two burghs into the counties to which they severally belong. The population of the county of Peebles is 10,046, and that of the burgh of the same name 2,705—thus leaving only 7,341 for the number of inhabitants of the county, out of which we were to form its constituency. Again, the population of the county of Selkirk is 6,637, that of the town 1,728—thus leaving only 4,909 for the county population. For these reasons, it appeared desirable that these towns should have a share in the county Representation of those places in which they are situated. I do not think that any injustice would be done to the towns by this arrangement, for each of them will still have a share in the election of a Member of Parliament, and I think that the influence of these towns would be as great when combined with the county as it would if they continued to have a share in the election of the Member for the Linlithgow burghs. I think that they would rather be gainers according to the arrangement I propose, and in addition to this, the constituency of each of the counties would be much improved. For these reasons, I shall persist in my suggestion, that they have a share in the county Representation. The hon. Members objected, that, although the owners of houses will have a vote in the counties, yet that the householders will not, which they would have had, if they had voted at a burgh election. The hon. Gentleman said, that hopes were held out to the householders of the towns of Peebles and Selkirk, which it is most unfair to disappoint. I am willing to admit that expectations may have been formed, which will be disappointed under the arrangement that I now propose, but it should be recollected, that these persons will not be placed in a worse situation than they are at present, on the contrary, they will be placed in a much better situation. No doubt the householders in these towns will not have the franchise conferred upon them, neither do they possess it now, but still the towns will have a very great influence in the county elections; and I am sure that the interests of both householders and landholders will be protected. I think, therefore, that it is advisable that the Committee should adopt the course I now recommend. I have stated fairly the grounds upon which I have proceeded, and I trust that I shall have the support of the House.

Sir *John Hay:* I rise merely to observe, that the noble Lord has included the population of the whole of the parish of Peebles in the estimate that he has given of the number of inhabitants in the town. I believe the population of the town of Peebles, at the utmost does not exceed 1,800.

Sir *George Clerk:* I regret that the noble Lord has not thought it consistent with his duty to assent to the proposition of the hon. Member opposite. The noble Lord, the Paymaster of the Forces, when he first submitted the measure of Reform to the House, said, that his Majesty's Ministers did not intend to propose that any burghs in Scotland should be disfranchised, with the exception of the small districts of the eastern Fife burghs. These, however, have been saved from impending threats that are held out, and they are, with the addition of another place, to return a Member to this House, as they have hitherto done. But now an extensive alteration has been made in the Scotch Reform Bill, and we find that two important county towns, formerly untouched, are to be placed in schedule A, with a view to their complete disfranchisement. I should have thought that the noble Lord, for the sake of consistency, would have been anxious to abide by the principles laid down with regard to the English Bill. If this were done, both these burghs would be saved from disfranchisement. In the case of the town of Peebles, we find the burgh and parish of the same name, and it is admitted that the parish of Peebles contains 2,700, which is considerably beyond the line drawn as the boundary for disfranchisement. But in considering this case, it should be remembered, that we are to look upon them, not as returning separate Members, but as acting jointly, having a share in the election of one: we ought, therefore, not to regard the population of either of these burghs, but the population of all in the district. The noble Lord attaches great importance to a numerous constituency; and in this case he has made a reduction in the number, in my opinion, without any adequate cause. I think, after the favour shown to the small Fife burghs, it is not too much to expect that the same treatment should be manifested to the two county towns of Peebles and Selkirk. The noble Lord said, that there would be no hardship to the householders of these towns, as they have not the right of voting at present, and that their interests would be sufficiently protected by the Representatives of the counties; but surely the noble Lord does not consider it a trifling circumstance, that the expectations of these persons have been disappointed; and I must say, that they are treated with great harshness. The noble Lord said, that after the deduction of the population of these two burghs, the county of Peebles would contain 7,000 inhabitants, and the county of Selkirk only 4,000. It should be remembered, that these are the two important grazing counties of Scotland, and I do not see why they should be excluded from sending Members to this House because their population is small. I have not yet heard any satisfactory reason assigned for the course now recommended; and I am sure, from the information that I have received on the subject, that the number of persons entitled to vote in each of these counties, will exceed 300, without throwing in the burghs. The number of proprietors of houses in these burghs, I believe, is extremely small; and in comparison with the number of persons entitled to vote from the possession of property in the county, is perfectly insignificant. The counties of Peebles and Selkirk, from the nature of their produce, peculiarly require Representatives to watch their interests in this House; and as they are more agricultural than perhaps any other counties in Scotland, it is desirable to abstain as much as possible from throwing the population of the burghs into them. I can see no ground for adopting the course now recommended by the Government with regard to these two burghs, nor can I conceive any reason why we should deprive them of the share they have hitherto enjoyed in the election of a Representative. According to the sets of these burghs, the number of electors that they supply to the district of burghs is considerable; but the number of persons who would be entitled to vote at a county election, from property they hold in the burghs, is very inconsiderable. If the hon. member for Linlithgow presses his Motion to a division, he shall have my vote, as I think that it is an act of injustice to deprive the two prosperous towns of Peebles and Selkirk of that share in the Representation which they have hitherto enjoyed.

Mr. *Kennedy:* I cannot compliment the hon. Baronet in the course that he has taken on the present occasion, and more especially when he states, that he is completely at a loss to understand the reason that has induced his Majesty's Ministers to propose that these burghs should be disfranchised. In my opinion, the only question is, how are those burghs to be enfranchised? The hon. Baronet complains of disfranchising the householders of the towns of Peebles and Selkirk, when he surely could not have been ignorant that they have no share whatever in the choice of a Representative. No person can vote for the election of a Member of Parliament who is not a member of one of the corporations of the towns. It must be recollected that these corporations are self-elected; for when a vacancy occurs in these bodies, the remainder of the members elect a person to fill it up. The corporation of Peebles has only seventeen members, and that of Selkirk thirty-three, so that it is obvious that the householders have no great share in the franchise. In my opinion, throwing these burghs into the counties, is the only means of giving them a chance in a free election. I deny that this can be considered as a proposition to disfranchise these towns. When counties are so extremely small, and the county constituency so confined, it is absolutely necessary to add the population of the towns to secure even a chance of independence. I think that the throwing the population of the burgh of Selkirk into that county will lessen the chance of its continuing a nomination county, and I am glad to avail myself of any thing calculated to diminish the probability of the present objectionable system continuing. I must express my regret that the noble Lord has consented to abandon his intention of uniting, for the purposes of election, the counties of Peebles and Selkirk. As, however, he has done this, I will only observe, that I should have opposed this alteration in the Bill, had it not been for the proviso, relative to the towns, which has been introduced. I am convinced that a county, with a constituency of only 300, cannot be independent; but that the Member must almost invariably be subject to the nomination of the two or three great landowners. Each of these burghs, also, will have more control in the election of a Member of Parliament, when joined with its respective county, than if it was merely a contributory burgh. If the Committee should not think proper to sanction the proposition of my noble friend, he will be bound to bring forward his first proposition respecting the union of the counties of Peebles and Selkirk for the election of a Member for this House.

Mr. *Keith Douglas:* I must congratulate the Committee on the discovery just made by the hon. member for Ayr, namely, that the proposition of the noble Lord does not go to the extent of disfranchising the burghs of Peebles and Selkirk, but that it ought rather to be considered as a proposition to enfranchise them. I was quite surprised to hear the hon. and learned Gentleman indulge in such observations respecting the present franchise in the burghs in Scotland. The hon. Member said, that they are now merely nomination burghs, that the franchise rests entirely in the Town Councils and Corporations, and that the people have no share in the election of the members of those bodies. All the householders in the place, however, are eligible to become members of them. The inference which the hon. Member drew from the statement he made was this; that the householders of these burghs ought to be thankful for whatever his Majesty's Ministry might think proper to give them. It must be recollected, however, that the inhabitants of all the other burghs in Scotland are to have the franchise, and therefore it is an act of injustice to deprive those who would be entitled to vote in the burghs of Selkirk and Peebles of their share in this privilege. With regard to what fell from the noble Lord, I will merely make one observation. The noble Lord said, that the constituency of neither of these counties would be sufficient without the addition of the burghs. Now, there is no doubt that both these counties are wealthy; and although their constituency is small, I cannot see the necessity of introducing a body of voters into the Scotch counties, against which the noble Lord was particularly desirous to guard in the English Bill. Particular care was taken in that Bill, now before the other House, to separate the town and county constituency: I cannot, therefore, see what ground there is to depart from this course as regards Scotland. I have heard no reason urged why these places should not retain their rights and privileges in having a share in the election of a Member of Parliament, whose peculiar province it would be to watch over the interests of these burghs. For these reasons I shall give my cordial support to the Amendment of the hon. Member opposite.

Lord *Althorp:* I think it is very desirable to increase the number of voters in small counties by taking in the constituency of the towns. This would not apply where the number of voters is large; and, therefore, I cannot admit that I am at all inconsistent. The circumstances are very different in different cases; and the same rule does not apply to the instance before us. During this discussion, great objections have been raised to introducing the 10*l.* householders into the counties; but I think that householders of these two towns will be a very valuable addition to the constituency of the small counties. The hon. Member opposite has given a reason for opposing this arrangement, which would be an additional inducement with me to support it. The hon. Gentleman says, that nobody could influence the householders—that they would vote as they pleased, as nobody would be able to control them. Now, if this is to be the result, I think that they will form a most desirable addition to the county constituency. It is well known that these counties are small, and that the landed property is in a few hands; the proposition, therefore, that I now make will prevent the undue exercise of influence which might otherwise take place. I cannot agree that, by adopting the present course, we are disfranchising these towns. This is not the case; but it is proposed that their constituency, instead of having a share in the election of the Member for a district of burghs, shall vote for the county. I cannot think that these persons have any cause of complaint, as it must be remembered that, at present, they, in point of fact, have no share in the Representation.

Mr. *Cutlar Fergusson:* I confess I entertained a strong objection to that part of the Bill which proposed to make such a violent change in the counties of Selkirk and Peebles, and even partially to disfranchise them. I am glad that the noble Lord has consented to continue to these counties their Representatives; but I regret that he considers it necessary to throw these burghs into them. The hon. member for Ayr has said, that the present measure gives to Scotland, for the first time, a share in the Representation. I totally deny the assertion; all that this Bill does is, to make various changes in the Representation, and introduce certain improvements. To say that Scotland has no Representation in Parliament, is an utter absurdity. Scotland has, from the earliest period of her history, had a Representative assembly; and I cannot view this Bill as a boon; but I like the improvements that it will effect, looking at them as a right which the people are entitled to claim. One of the chief objects of the present Bill is to extend the suffrage; but it does not follow, because the constituency is small, that there is no Representation. Would any one say, because the number of the electors of Bath is only thirty, that, therefore, Bath has no right to Representation? But, if it be granted, that, to open the election should be considered a favour, I cannot think that the breaking up the corporation that exists in that city, and throwing open the franchise to all, should be regarded in any other manner than as the restoring a right. I cannot agree that it is a boon, to a place containing 44,000 inhabitants, to give them a voice in the election of their Representatives. I admit that the Scotch counties and burghs have small constituencies; but be they either small or large, it is an absurdity to say that they are not the Representatives of the people. The population and wealth of Scotland have increased greatly since the time of the Union; and the people of that country have a right to look to Parliament to supply any deficiencies that may be experienced in the Representation. A measure for this purpose has now been brought forward; and we have been under the necessity of laying down principles for our guidance in the proposed changes. Among other suggestions, it was proposed by the noble Lord, that the county and burgh voters should be kept entirely distinct; and that those who voted under property in a burgh, should not vote for the county. I regret that it was thought necessary to depart from this rule. I think, that the rural population of villages ought to be represented in the counties; and the town population ought to be kept distinct. I do not object to the 10*l.* householders of the county having votes for it; but I do object to the counties being inundated by the town voters; for, if this be allowed, the agricultural interest of the counties will be completely destroyed. On these grounds, therefore, I shall vote for the proposition of my hon. friend, to leave the burghs of Peebles and Selkirk as they are now. I object to this departure also, because it will be the means of disfranchising a great many persons. This, I know, will be considered a great hardship; and, in addition to this, I think the change will be highly inconvenient. I am extremely loth to oppose his Majesty's Ministers in carrying their measure of Reform through this House, but I think that I should be sanctioning an act of injustice, if I did not oppose the disfranchisement of these two burghs.

Mr. *Pringle:* I should almost think that it would be wasting the time of the House, to spend much of it in replying to the argument of the hon. member for Ayr, in favour of the disfranchisement of these burghs. It amounts to this:—That because they have not hitherto had popular election to the extent to which he would give it to them, they have never been represented; so that, by disfranchising them now, you do them no injury—you deprive them of nothing. Why, Sir, I should almost think it a sufficient answer to refer him to the stand which has this night been made by their Representative for their interest. Deprive them of the assistance of one who is so ready to plead their cause in this House, and do you deprive them of nothing? But so sufficient a reply has already been made to the sophistical reasoning of the hon. member for Ayr, by my hon. and learned friend, the member for Kirkcudbright, that I shall not weaken its force by attempting any addition. I must remark, however, on the fact, that in these burghs the actual number of constituents is not so very small as is stated by the hon. member for Ayr. In Selkirk, he has said, the electors amount to thirty-three. This is the number of the Town Council; but every year one-half of that council is chosen by the votes of all the trades in the burgh—so that those who have a voice in the election of Deacons, necessarily participate in the elective franchise. This is well known to all candidates who canvass the burgh, and especially to those who endeavour to keep up an interest there; all of whom find it necessary to secure the good will of others, besides the actual members of the Town Council. The Set of the burgh of Peebles partakes, though less extensively, of a similar constitution. By cutting off all these privileges, therefore, you affect the interests of a much greater number of individuals than may at first sight appear. One observation in the speech of the hon. member for Ayr, I feel myself specially called upon to reply to—I mean his insinuation, that the county of Selkirk is a nomination county. On the part of the respectable and independent freeholders of that county, I repel his charge with indignation. I deny that, in any sense of the term, does the county of Selkirk deserve to be called a nomination county. The roll of freeholders consists of fifty gentlemen, of whom, as I stated on a former night, the majority are possessed of considerable estates within the county, and the remainder are all either the sons or brothers of these proprietors. By this constituency no Member has at any time been sent to this House, except one of themselves, an independent country gentleman. This has been the case from the earliest times. During nearly three centuries that the freeholders of Selkirkshire have formed part of the constituency, they have never elected a man in office, never any member of a noble family, and never a stranger; and that is more than the largest counties can boast of, if it be a subject of boasting. I know well that the hon. member for Ayr alludes to the circumstance of one nobleman having a large estate within the county; but that estate does not enable him to nominate the Member, even if he were disposed to dictate to the freeholders, which he would be the last man to do. It happens, that there is not a single voter whose qualification is derived from that estate, excepting the brother of the noble Duke; and as he is restricted by his entail from creating voters, of direct influence he has none. His influence, therefore, is of that kind which hon. Members opposite have always admitted to be the most legitimate—the indirect influence of an affluent and patriotic nobleman amongst his friends and neighbours, by whom he is beloved as he deserves to be, and as his predecessors have been before him. The country gentlemen around him are as independent as himself, and only know him as the greatest proprietor amongst them; and, as such, the most deeply interested in seeing the county of Selkirk well represented.

But, instead of dictating to them, he has always studied their wishes and feelings; and hence, in that county, there has long been, even beyond the memory of man, the most uninterrupted harmony. Is this, then, the county which the hon. member for Ayr calls a nomination county? There does not exist, in the whole British empire, a more independent body of electors than those freeholders who have done me the honour to send me here as their Representative. When such a charge, unfounded as it is, is made against my constituents, I am entitled to retort; and I should certainly have expected it to have come from some other quarter rather than that from which it did. There is not any one from whom it could have been more unbecoming than from the hon. member for Ayr, who is himself returned to this House by the direct influence of another noble Duke, who lives in a different part of the kingdom. With regard to the particular question now under the consideration of the Committee, I have heard no sufficient reason alleged for the proposal of the Government to blot out these two ancient burghs from the roll of the royal burghs of Scotland. They have done nothing to deserve this; and their case would be just as hard as that of the eastern district of Fife burghs, respecting which the Ministers have been forced to retrace their steps. I see nothing consistent in the argument, that the counties require such an addition to their constituency, seeing that each of these counties will have without them, under this Bill, as numerous a constituency as has been deemed sufficient in England to give a claim for two Members. This, perhaps, may not appear from the statement of the noble Lord, the Chancellor of the Exchequer; but he has quoted from the population returns, where the parishes are given along with the burghs; and the two parishes of Peebles and Selkirk happen both to be very extensive. In the southern counties of Scotland, there are extremely few royal burghs; and why should that small number be still further diminished? In Roxburghshire and Berwickshire, there are only two, and these are all that Ministers will leave in that extensive south-eastern district. This is not the way in which they have acted with other interests in the northern counties, and still less in some other districts; and why should the interests of these counties, which are purely agricultural, be so unfairly dealt with? We have not had time to ascertain what is the feelings in these burghs themselves, respecting the proposed arrangement, as none of us possess the advantage which the hon. member for Ayr seems to have enjoyed, of communicating before hand the intentions of the Ministry; but I cannot think that they will be disposed quietly to acquiesce in this unjust attempt to annihilate their ancient privileges. At all events, Sir, they shall not want friends to stand up for these privileges; and since the hon. Gentleman who represents them in this House, has, with an independence which does him honour, called upon the House to preserve these privileges, I, for one, shall give my hearty support to his motion.

Sir *George Murray*: I am very anxious to say a few words on the doctrine laid down by the hon. and learned Member for Ayr. On the same ground which the hon. Member has urged, for depriving Selkirk and Peebles of the franchise—namely, the not possessing a larger constituency than thirty-three and seventeen persons—Ministers might entirely deprive all the burghs in Scotland of the franchise. Does the hon. Gentleman mean to assert, that Ministers would be doing no injustice if they deprived Edinburgh of her Member, because the constituency at present contains only thirty-three Members? Perhaps the hon. Member does not consider that the withholding the right of sending Members for Scotland, should be regarded as a matter of grievous wrong. I regret that the noble Lord should consider a large constituency to be necessary, and that the independence of places cannot be preserved unless the number of voters be great. I am sent here by a comparatively small body of persons; but I know that it would be utterly impossible to form a more independent constituency. I think that a man sent here by a small number of independent and intelligent electors, is much more likely to be impartial and unbiassed in his conduct, than a man elected by a very numerous constituency.

Sir *James Mackintosh*: I fully agree with the right hon. Baronet, that a man sent here by a small constituency may be perfectly independent; but the question is, whether the chances of independence are not greater with a large constituency than in a small and close elective body? The object of this Bill, is to enlarge the constituency, and to adopt means to make it as independent as possible. I agree with my hon. friend, that you may give an adequate compensation to the small towns, by throwing them into the counties, but thats rule will not apply as regards large town like Edinburgh. In these small burghs, the right of suffrage is not to be taken away, but it is to be transferred; so that the same individuals, in other capacities, will vote for the county. In point of fact, it is only giving all those persons an equivalent elsewhere for the vote you will take from them in the burgh. I do not think this could be done in a town with 10,000 or 20,000 inhabitants; but I see no objection to it in the case of a small town, situated in a small county. I will not now go into the question, whether a place with a small and close constituency, is represented. The hon. and learned Member has alluded to the city of Bath, as not having the franchise conferred upon it as a favour. I will not say whether this be the case or not; but I know that the Bill now sent up to the other House will confer upon the inhabitants of Bath, for the first time, a share in the election of their Representative. Can it be said, that the twenty-seven persons who elect that Member, constitute the whole of the city of Bath, and that the 40,000, inhabitants are nothing? If it be said, that the people of Scotland had any share in the Representation, I deny the assertion. Scotland has never possessed a popular Representation, and this Bill has been brought forward with a view to bestow—not to restore—a popular Representation. I have been told, that Scotland has a Representation; but I ask, a Representation of what? Certainly, it is not a Representation of the people and property in Scotland, in any sense of the word. Wherever the people have no share in the elections, there is no Representation. No constitutional writer or lawyer, from Bracton or Fleta, to Blackstone and Hardwick, has at all laid down a system such as at present exists in the Representation only of certain classes. The people generally have no concern in the elections for the whole kingdom. I say a Representation, in the sense it has ever been used in England—in the sense in which it should always be considered in the House of Commons—does not exist, and I hail this as a first attempt to bestow a Representation upon Scotland.

Mr. *Cumming Bruce:* the gratification which I always derive from the eloquence of the right hon. Baronet who has just sat down, disposes me not to quarrel with him for having, with scarcely any reference to the question before the House, indulged us with a speech on the general question, already so fully discussed during the two long nights on which the House was occupied with its consideration. I shall not follow the example of the right hon. Baronet, having already occupied more of the time of the House on that question than was, in any shape, justly due to so humble an individual. But when the right hon. Baronet reiterates, for the twentieth time, his declaration, that Scotland has hitherto enjoyed no Representation at all, because it has not enjoyed a popular Representation, I must again state, what I have already asserted to the House, that such is not the fact. Though not popular, our Representation is a Representation of property, to a very great extent. The right hon. Baronet would seem to assert, that numbers—that population alone—is the element which should be considered, in forming a system of Representation. I had thought that property, also, should enter into the consideration—if for nothing else, as a standard of fitness and intelligence; and the mere fact, that a property standard of qualification has been adopted, in the general measures of Reform, proves that such also is the view of his Majesty's Government. I do not approve of the fixed qualification, in its universal application; but its adoption proves, at least, the fact, that property was thought worthy of some Representation. But I shall not follow the right hon. Baronet further. My object in rising, is to press on the noble Lord opposite, the Chancellor of the Exchequer, a consideration, which should, I think, induce him, in the view of giving full effect to his own principles, to agree to the amendment proposed by the hon. Member. In every word which fell from my hon. friend, the member for Peebles (Sir John Hay), whose candid speech made so great an impression on the House, in every word of what fell from him, in praise of the fairness, and candour, and conciliatory conduct which has characterized the noble Lord, throughout the whole of these proceedings, I most fully concur; and so I am fully persuaded of the sincerity of the noble Lord's declaration, that his only motive in proposing to throw these burghs into their respective counties, is a desire to create a free and independent constituency. Sir, I sincerely believe that such has, in every instance, been the desire of the noble Lord, however much I differ from him as to the success which will follow the course he has pursued. But to attain his own object, I put it to him, after having listened to the statement made with so much manliness by my hon. friend, of the great influence which, from his large property and great and deserved influence, my hon. friend must possess in the vicinity of the town of Peebles, whether the constituency of the county is likely to be improved, as far as exemption from individual influence goes, by such an accession to its numbers? It may be all very true, as the noble Lord said, that in the hands of my hon. friend, that influence can only be exerted in a way useful and beneficial to the community. But my hon. friend, after all, is mortal; and the same influence may fall into hands disposed to use it in a very different spirit. I therefore would press on the consideration of the noble Lord, that he will best realize his own object — the securing a county constituency, exempt from any great individual influence—by acceding to the proposal which has been so ably advocated by my hon. friend. My hon. friend opposite, the member for Ayr (Mr. Kennedy) threatens us with the resumption of the concession made to these counties, in leaving them their separate Member, if this proposal be acceded to by a majority of the House; "for," says my hon. friend, "Selkirk will become a nomination county; and I abominate all nomination." Really, the virtue of my hon. friend must have been severely mortified at the sittings of those little Cabinet Councils in Downing-street, at which the Bill in its present form was agreed to. I could really almost pity the situation of my hon. friend, when, with all his holy hatred of nomination, he found himself obliged to agree, that the county of Sutherland should retain its right of sending a Member to this House. I should almost have feared that the bare proposition would have driven my hon. friend from the fellowship in which I am consoled to see he still sits with such apparent complacency, If there be a nomination county in the wide range of Scotland, it is the county of Sutherland. Why, there is but one proprietor, I may say, in the whole county. I quarrel not with his Majesty's Government, however, for allowing it to retain its right—far from it. It is one of those rags and shreds of our old Constitution which I rejoice to see preserved. Something at least is gained, in my view of the question, when the rights given by distinct Acts of Parliament to the tenants of the family of Sutherland are preserved. But this concession to any existing right must have been very painful to the anti-nomination feeling of the member for the Ayr burghs. But, Sir, I shall not trespass longer on the time of the House. I rose merely to urge on the noble Lord the fitness of keeping out of the county of Peebles a constituency which may be subject to a preponderating individual influence.

Mr. *Robert A. Dundas:* I have no wish to trespass on the attention of the House, nor shall I follow any hon. Gentleman by entering at large into the merits of this great question. I merely wish to set the House right with regard to an observation which was made by the right hon. Gentleman opposite. He stated, with reference to what fell from the hon. member for Kirkcudbright, that the arrangement which had been brought forward by his Majesty's Government with respect to Selkirk and Peebles, will merely have the effect of transferring the right of individuals from burghs to counties. Now, if the right hon. Gentleman will consider the principle of this Bill, he will find that it confers the right on a totally different description of persons; not that these individuals will not exercise the right in burghs, but it merely restricts the rights of those individuals who would otherwise exercise them if these burghs remained in the position in which my right hon. friend opposite wishes to place them. It is with that view that this Motion has been brought forward: I shall support it; not that I approve in any degree of the principle of this Bill; but inasmuch as this proposition will have the effect of preventing some disfranchisement, if the hon. Gentleman chooses to divide the House he shall have my vote.

Mr. *Gillon:* I have not the slightest wish to prolong the debate, which has already occupied a considerable time; but, at the same time, I must beg to remark, in allusion to the particular point which is now under the consideration of the Committee, that the hon. Gentleman is decidedly in error who stated that the franchise would be given to the same individuals as those who possess it at present, and that the only difference would be, that they would be made county voters instead of burgh voters. I can assure the House, that if I had entertained such an opinion, I should not have brought forward this motion; as, if that had been the case, I conceive I should have been supporting a most objectionable point in the present state of the Bill. The fact, however, is, that the right will be possessed by a very different class of individuals. I hope that his Majesty's Government and the House will be induced to comply with the Motion of which I have given notice, which has for its object the giving of Representation to the owners of property in burghs, who do not possess the right of voting in burghs, without depriving the householders in burghs of the benefit of the franchise. I will merely say further, that I shall feel it my duty to press this Motion.

Sir *Charles Forbes:* I certainly feel disposed to support the Motion of the hon. Member. But I am induced to trouble the Committee in consequence of the threat of the hon. member for Ayr, who has stated, that if this Motion be carried, the Government will again bring forward their first proposition respecting the union of the counties of Selkirk and Peebles. Now, I undoubtedly should protest against uniting the counties in Scotland while the English counties are divided. It is of the greatest importance that we should exactly understand the course which his Majesty's Government intend to pursue in respect of this part of the subject; and I trust that the noble Lord opposite, with that courtesy and kindness for which he is so eminently distinguished, will tell us how the fact really stands, and if his intention has been correctly stated by the hon. member for Ayr. One word before I sit down: I very much regret the absence of the hon. member for Preston this evening, because I think, had he been here, he would have heard a good deal said on his favourite topic—the people. I declare, that from the 1st of March down to this day, the people have been the constant theme of converastion: I never heard so much of them before. Every word of my right hon. friend's (Sir James Mackintosh) speech to-night was about the people; there was not one word in it, from beginning to end, about property. Really I am quite puzzled to understand this, both here and elsewhere. I am constantly hearing of "the people and property," and "property and the people;" and the words are so often bandied about from one side of the House to the other, just as it happens to suit the argument of the parties using them, that at this moment I declare I am totally unable to tell on what principle these expressions are so continually made use of.

Lord *Althorp:* In answer to the question of the hon. Baronet, I have to state, that when we wished to depart from the proposed union of these counties, we deemed it expedient to throw the burghs into them, in order to give them a respectable constituency. If, then, this part of the arrangement should be defeated, can he expect us not to revert to our original intention regarding the counties? Undoubtedly, Sir, this is what he must look for.

Mr. *Pringle:* I cannot suppress my surprise at what has just now fallen from the noble Lord opposite. I must entreat the indulgence of the House for a few moments, on account of the peculiar situation in which he has placed me. He has stated to the House, that if this Motion shall be carried, he means to revert to his former arrangement, and again propose to the House to unite the counties. Sir, I did not expect this from the noble Lord. When I heard such a threat from the hon. member for Ayr, it made no impression upon me whatever; and I did not think it worth my while to notice it, for I thought that I could have appealed from it to the justice of the noble Lord; but I now find I have been mistaken. When I heard him already declare, that in giving up the arrangement of uniting the counties, his Majesty's Government had been induced to do so by the representations which had been made to them, and which had changed their view of the question—when I heard him thus put it upon the grounds of expediency and justice—I never could have supposed that he would have gone back from such a declaration, and, in spite of his own acknowledgment, again call upon the House to do wrong to these counties. Does the noble Lord suppose, that by this threat he is to influence our votes upon the question immediately before the Committee? If this be his expectation, in one Member, at least, he will find he is mistaken. I am called upon to do an act of justice, and to resist the disfranchisement of these burghs, and this I shall do, regardless of the consequences. But I have no fear of the consequences. If this Motion be carried, and if then the noble Lord shall attempt to put his threat in execution I shall appeal from him to the justice of this House, and I feel assured that I shall not make the appeal in vain. The hon. member for Linlithgow (Mr. Gillon), has brought before us a specific motion. Of the justice of that motion I have already expressed my opinion, and from such an opinion I can never go back. Happen what may, I shall give my support to the Motion.

Lord *Althorp:* I stated at first that these two towns were to be thrown into the counties if the intention of uniting them was to be given up. But I do not think I have been rightly understood by the Committee. I said, that it might be expected we should revert to the whole of the original arrangement, if this part of it were lost; but I did not mean seriously to intimate that we were resolved to do so. I certainly did not expect that what I said would have the effect of making the hon. Member opposite angry.

Mr. *Cutlar Fergusson:* I shall not trespass on the attention of the House many moments. ["*Oh, oh!*" "*Divide, divide!*" "*Question, question!*"] Hon. Gentlemen who cry "Question," do not understand the importance of the subject. This question certainly arises out of that which the noble Lord was pleased to decide in favour of the counties of Peebles and Selkirk. Under the impression that each of these counties were to have Representatives, I felt, in common with all the people of Scotland, grateful to the noble Lord for having acceded to our wishes. At present, however, the case is altered. The noble Lord has declared, that if this Motion should be carried against him, he will consider whether he ought not to retract that concession [*no, no!*]. So, at least, I understood the noble Lord. I am glad to find I am mistaken. One hon. Member has called for the union of these two counties, according to the original plan of the noble Lord; and I am sorry to see that there are some of the Members for Scotland who are inclined, to reduce in place of augmenting, its county Representation, and who seek, upon all occasions, to degrade the character of that Representation in the eyes of this House. It has been said, that the whole of the Representation proposed to be attached to Scotland, is a boon to that country, for that Scotland has never had any Representation. I have often said, and I repeat it now, that the system of the Representation of Scotland is defective, and that it ought to be amended; but I deny that Scotland has never been represented, or that Representation is now for the first time to be extended to it. Were that the case, you, Sir, from the chair must propose to alter the title of the Bill, by making it a Bill, not to amend, but to give a Representation to the people of Scotland.

Lord *Althorp:* I certainly thought that what I had before stated on this subject would have been a sufficient answer to the hon. Gentleman. I thought that the explanation I then gave was sufficient, and I as certainly did not expect to be called upon again. Undoubtedly, Sir, I understood that my hon. friend was perfectly satisfied with the proposition that had been made for placing these towns in the counties; therefore, I am surprised at the opposition which has been offered to it. If I were to allude to what is past, I must say, that I should have expected a very different result.

Mr. *Cutlar Fergusson:* I beg to assure the noble Lord that I was not present when any intention of offering this proposition to the House was expressed. I was not present at any meeting where such a proposition was introduced. If I had, however great my respect for the noble Lord, I should most certainly have opposed it.

Sir *Charles Forbes:* I am happy to find, as I had supposed, that the noble Lord, when he seemed to adopt the threat of the hon. member for Ayr, was not in earnest. But the joke was a very bad joke; and I cannot help thinking, Sir, that my hon. friend the member for Ayr, with those strong feelings of impetuosity which he occasionally exhibits, went a little further perhaps, in the situation of *locum tenens* for the Lord Advocate, than he ought to have done.

Sir *George Clerk:* Sir——[*cries of* "*Question!*"] if that hon. Member who cries "question" had attended during the discussion, he might have had some right to call "question;" but as he is one of those hon. Members who have just come into the House for the purpose of voting on a question of which he has not heard one single word, he will perhaps allow me to make an observation. When I look to the quarter of the House from which those cries proceed, and see that those benches are chiefly occupied by hon. members for Ireland, I must say, considering the inconvenience to which the hon. and learned member for Kerry has put us, by moving a call of the House on Monday, in order to secure a full attendance on the Irish Bill, that they might, in return, have heard us upon the Scotch Bill. It is not possible, from my knowledge of the noble Lord's character, that I could suppose he intended to commit any deliberate act of injustice, and therefore I will only say, that I do trust, notwithstanding even the threat which he has held out on this occasion, we shall be able to save the right of voting for these two flourishing towns, against either of which I have not heard one single argument adduced which can justify their being divided, either on the ground of corruption or want of population.

The Committee divided on the original Question, when the numbers were: Ayes 133; Noes 60—Majority 73.

On the question, that these words, "And that one shall always be returned by each of the shires enumerated in the schedule A, hereunto annexed, stand part of the clause,"

Sir *George Murray* said, the Amendment I have to suggest is this—I should beg to propose that each county in Scotland having a population which, by the census of 1821, amounted to 100,000 inhabitants, shall be entitled to return two Members to this House in place of one only, as proposed by the Bill now under consideration. I found this claim upon several different grounds. I found it, in the first place, upon this ground:—I conceive that Scotland has a claim, and a well-founded claim, to a larger number of Representatives than it is proposed by this Bill to give to her. The Representation of Scotland at the period of the Union was fixed at forty-five Members, and so fixed with reference to the population of the country as compared to that of England, and to the amount of the revenue and taxation in both countries. If I can establish the fact, that the relative proportion between the two countries has very considerably altered since the period of the Union, and that Scotland has gained very much during the time that has since elapsed, both in population and in revenue, as compared to England—if I can shew this to be the case, I shall establish a fair claim to a more considerable addition than is given by this Bill to the Representation of Scotland. It appears that, at the period of the Union, in 1767, the Customs of Scotland amounted to 30,000*l.* whilst the Customs of England amounted to 1,341,559*l.*; the Excise in Scotland at that period amounted to 33,500*l.*, in England, to 947,602*l.* making the whole of the revenue of Scotland, under these two heads, amount to 63,500*l*, whilst that of England amounted to 2,289,161*l.* The proportion, therefore, of the total amount of the English Customs and Excise, when compared to the total amount of the same branches of the revenue in Scotland, was about thirty-six to one; that is to say, the revenue of England was thirty-six times greater than that of Scotland. The state of things, however, is now very materially altered; for, according to the returns of the year ending the 5th of January, 1830, it appears that the English Customs amounted to 17,524,138*l.* and the Excise to 18,243,929*l.*, making a total of 35,768,067*l.* The Customs of Scotland at that time amounted to 1,372,089*l.*; the Excise to 2,762,993*l.*; making altogether 4,134,082*l.* The result, therefore, is, that the united Customs and Excise of England exceeded the united Customs and Excise of Scotland in that year in the proportion of about eight-and-a-half to one. The Committee will see that this fact presents a very different picture of the state of Scotland at the present period from that which she exhibited at the time of the Union. With regard to population, also, Scotland has been increasing in a somewhat similar ratio, though certainly the increased proportion in this respect has not been, perhaps, so great as in the revenue. On these grounds, therefore, I think I may fairly put it to the Committee, that there is a just claim on the part of Scotland to a considerable increase in the number of her Representatives. But I would also beg leave to refer the Committee, with relation to this question, to the observations which were made by the learned Lord Advocate, on the nature and character of the Treaty of Union. These were the words of the Lord Advocate:—'At last came the union of the two kingdoms; a bargain harshly and ingeniously made by the stronger party, and assented to by the weaker, not, he believed, under the influence of the most honourable motives—a bargain by which a neighbour-

'ing nation, pretending to treat on terms 'of equality, had the face to propose to 'another that all the diminution in the 'number of Representatives should be on 'one side.' This opinion of the character of the Union given by the learned Lord, who has himself brought the present Bill into the House, fortifies the claim which I have to make for an increase of the number of Representatives for Scotland. But there are also other reasons why this addition should be allowed. When the English Bill passes, if it ever does pass, into a law, Scotland will possess another claim to an increase in the number of her Representatives, on the ground that, up to this moment, she has had virtually a Representation to a greater extent than would at first appear, in consequence of many individuals from that country having had the advantage of obtaining seats for English burghs. Now, the Committee will recollect, that Scotland will lose that advantage by the operation of the English Bill, for I conceive that the effect of that measure will be to localize, much more than has hitherto been the case, all political interests, and the Representation will be more immediately and directly connected with the place from whence the Representative is sent. I believe that is, indeed, one of the arguments which the supporters of this Bill bring forward to shew the advantages which will result from it. It must, however, be also clear, that the very circumstance of Representation being more localized renders it necessary that every part of the country should have its true and proper share of Representatives. The present system of Representation is not placed upon this footing; it is not now so much localized as it will be by the new Bill. And I must say, that I think the general interests of the country are more likely to be attended to, and may be advocated with a much greater probability of success now than they will be hereafter, when the Representation becomes so localized that every individual Member in this House will be bound to attend more closely, and almost exclusively, to the particular interests of the place he represents, than has heretofore been the case. Hitherto, many of those individuals who were brought in for the seats which are to be abolished by the English Bill, were not immediately connected with the local interests of the places they sat for, but they were very frequently the able advocates of general and important interests, as well within the united kingdom, as in distant parts of the empire. From this circumstance, I conceive that it is still more necessary that Scotland, in consideration of the Representation being more localized, should endeavour to obtain a greater number of Representatives than she has hitherto possessed, to advocate and support her particular claims. These are the general reasons which induce me to propose that an addition should be made to the Representation of Scotland; but I also claim it on other grounds, which have been fully established, I think, by his Majesty's Ministers, in the course of the discussions upon these Reform Bills. When the noble Lord the Paymaster-General of the Forces, brought these Bills into the House, on the 1st of March, 1831, he stated, that the 'Bill for England will give two additional Members 'to each of the twenty-seven counties, 'where the number of inhabitants exceeds '150,000.' Now, here the noble Lord establishes the principle of granting an increased share of Representation to the English counties, with reference to the number of their population, and upon that principle, to twenty-seven counties, four Members each have been accordingly given, on the ground of their possessing a population of upwards of 150,000. Now, I think I may fairly claim, that the principle here laid down in so distinct a manner for England, should be extended to Scotland also. But I think this principle must obtain still further support from what was stated subsequently by the noble Lord, the Chancellor of the Exchequer. The noble Lord said, 'In the provisions of this 'Bill we have found it necessary to give 'Representatives to a greater number of 'burghs than we originally proposed. 'This led us to consider how we could 'give the agricultural interests a balancing 'influence. Something was requisite; for, 'by giving Members to such a number of 'towns, many of which we knew would 'return Members in the manufacturing 'interests, we feared their preponderance 'over the agricultural interests of the 'country. In this emergency it struck us, 'that by giving additional Members to 'counties, we should avoid this preponderating influence of the manufacturing 'interests; and, accordingly, seven counties, where it was known that the agricultural interests predominated, were

'were selected, and to these additional 'Representatives were given.' The former principle to which I have referred was that of giving Representation to counties with reference to their population; but here the noble Lord introduced the further principle of granting Representation also to counties, for the purpose of forming a balance to counteract that preponderating influence which the Bill had given to the manufacturing interests. Now, there is no man in this House more indisposed than I am, or than I have at all times expressed myself to be, to draw distinctions which would have the effect of creating a spirit of jealous rivalship, or a feeling of hostility between one interest and another in the State; but the noble Lord having, in the course of the consideration of the English Bill, admitted the propriety of giving additional Representation to seven English counties, for the purpose of bringing in agricultural Representatives, and the House having given its sanction to that principle, I conceive I have a fair claim to ask for the application of the same principle to Scotland. By a reference to the Bill for improving the Scotch Representation, it will be seen, that all the addition proposed to be made to that Representation is to be given to towns—all the eight additional Members will be the Representatives of towns. Now, Sir, I do not at all object to these towns being thus represented—quite the contrary. I put in myself a strong claim for the capital of the county which I have the honour to represent, as being a city fairly entitled in every respect to that privilege; and I am exceedingly happy to find that his Majesty's Government have been pleased, in their amended edition of the Bill, to give a Representative to the city of Perth.

What I am now desirous of establishing, and which I think is but just and fair, is, that the principle which has been laid down in the case of the English counties should be applied to the counties of Scotland, and that we should have increased agricultural Representation given to us also for the purpose of balancing and counteracting the increased influence given to another description of interests in Scotland by the proposed Bill. The motion, therefore, with which I shall conclude will have for its object the attainment of that balancing interest, by giving Representatives to certain counties which I shall hereafter mention. But, still further to strengthen my claim to this alteration, by reference to the expressed opinions of his Majesty's Ministers, I would beg leave to refer to an opinion given, or rather to an observation made, by the First Lord of the Admiralty, with reference to this very principle. That right hon. Baronet stated, in answer, I think, to some remarks made by the hon. member for Marlborough—I believe, with reference to the number of Members given to Cumberland, he having drawn a comparison between that county and Dorsetshire—that, 'Had Dorsetshire, 'by the population returns of 1821, contained upwards of 150,000 souls, it would, 'without any reference to its burgh Representation, have been admitted to the right 'of returning four Members to Parliament.' Now this sentiment from the right hon. the First Lord of the Admiralty, confirms what I before stated relative to the principle of giving Representation to counties on account of population, and which was so clearly laid down, and acted upon, in the English Bill. And I may yet further strengthen this argument, if it be necessary, by again referring to the opinion of the noble Lord, the Paymaster-General of the Forces.

With reference to the Representation of Wales, that noble Lord said, 'His Majesty's 'Government have found that there are 'four counties in Wales distinguished as 'possessing a considerable population; 'there is the county of Glamorgan, to the 'Representation of which one Member has 'been already added: the county of Pembroke contains a population of 74,000 'souls; but it has no additional Representative given to it, as it has already gained 'by the Bill two districts of burghs.' This statement does not at all weaken the principle, which I contend has been laid down; on the contrary, it rather confirms it; because the noble Lord assigns as a reason for not granting to Pembrokeshire an advantage similar to that given to Glamorganshire, that it has already received an increased share of Representation, by the addition of two districts of burghs. The other two Welsh counties mentioned by the noble Lord on that occasion were Carmarthenshire, and Denbighshire; the former containing a population of 96,000, and the latter a population of 76,000. To these two last counties, his Majesty's Ministers proposed to give one additional Member each. The noble Lord's observations confirm the principle of increasing the county Representation, which we have already found laid down, and acted upon. It appears to me, that my proposition is again materially strengthened by the observations here made by the noble Lord, for he said, that 'As two Members more are 'thus to be added to the county Representation, his Majesty's Ministers, in conformity with the principles on which they 'have acted throughout the whole of this 'Bill, now propose to give two Representatives to two more large towns.' The towns referred to by the noble Lord, were those of Ashton-under-Lyne, and Stroud. We find, therefore, this principle laid down—that there shall be a fair balance preserved between contending interests; and we find the principle laid down and applied in the former part of the Bill, by giving Members to counties, for the purpose of preventing an undue preponderance of the manufacturing interests, by the increase of town Representation; and here again it is confirmed and strengthened, by being applied in an opposite direction; and in this instance, two additional Members are given to towns, in consequence of additional Representation having been granted to the Welsh counties. It appears to me, therefore, that the principle is confirmed in the strongest possible manner, by the mode of its being acted upon in both these cases. What I aim at is, to persuade this House, and his Majesty's Ministers, of the fairness and justice of applying the same principle to Scotland, on both the grounds which I have already stated. Let us now proceed to compare the population of the counties in England to which additional Representation is given, with the population of the Scotch counties, for which I put in my present claim. I find here, with reference to the population of those counties to which four Members have been given, that the county of Durham possesses a population of 207,000 inhabitants. Now, that county is to receive four Members, as county Representatives, and it is to have also six Members for towns; so that here is a population of 207,000 sending ten Representatives to Parliament. Then there is the county of Northumberland, possessing a population of 226,000; and that county will also send four county Representatives to Parliament; in addition to which, it will have seven burgh Representatives; making a total of eleven Representatives for a population of 226,000. With regard to Cumberland—and let me here observe, that I take those counties which are nearest to Scotland, and, therefore, the most likely to be brought into comparison with the state of Representation in that country—the county of Cumberland has, by the Bill, four county Representatives, and four burgh Representatives; making a total of eight Members for a population of 156,000. Now, taking the Scotch counties, for the purpose of comparing them with the English counties I have mentioned, I find the county which I myself have the honour to represent—the county of Perth—containing a population, by the census of 1821, of 139,050 persons; and yet that county, with a population falling very little short of that of Cumberland, which sends eight Representatives to Parliament, will only send two Members to represent its interests in this House, and one of these will be for the city of Perth, which contains about 23,000 inhabitants. Now, it happens, also, that, if we deduct from the county constituency, or, I should rather say, if we deduct from the county population, the population of the burghs, in both cases, it is singular enough, but it so happens, that if you take away the number of inhabitants contained in the towns of Cumberland, which are to send Representatives to Parliament, it reduces the population of that county to 115,000 persons, sending four Representatives to this House; and, if you take away the population of the city of Perth from that of the county of Perth, the number of the inhabitants of the county becomes exactly the same as that of Cumberland—namely, 115,000, but who are to send only one Representative to Parliament. It is quite impossible that any Member of this House can fail to perceive, that there is a considerable degree of unfairness in this system of Representation. If we advert next to the counties in England to which a Representation of three Members has been allowed (I will not trouble the House by referring to the burghs in these counties), we shall find the facts to be as I shall now state to the Committee. If we take the county of Hereford, for instance, we shall find, including the boroughs population, that it contains 103,243 inhabitants—falling, therefore, considerably below the population of many counties in Scotland, which send only one Representative to Parliament, but to each of which I propose that the

Bill should grant two Members. We shall find, also, that Cambridgeshire contains a population of 121,900, Hertford, 129,700, Berks, 131,977, Bucks, 134,068, Oxford, 136,971, and Dorset, 144,499. Now all these counties, if we take a general average, are pretty nearly upon a par with those counties in Scotland, in whose behalf all I ask is, that, in place of one Member, they should be allowed in future to return two. And it must be recollected that these English counties, nearly corresponding with them in amount of population, are to send three Representatives each to Parliament, independent of those Members who are returned for their burghs. I will beg leave to enumerate the population of some of the larger Scotch counties. Aberdeen, in 1821, possessed a population of 155,387; Ayr, 127,299; Mid-Lothian, 191,514; Fife, 114,556; Forfar, 113,430; Lanark, 244,387; Perth, 139,050; and Renfrew, 112,175. These counties altogether contain a population considerably larger than those English counties to which I have already referred. Why the treatment of these Scotch counties should be so extremely different from the English counties, I confess I cannot understand. I have shewn that they possess a population sufficient to entitle them to an increased share of Representation; there is also a sufficient extent; there is no deficiency in point of wealth; and I have heard it admitted, by almost every Gentleman in this House, that there is no want of intelligence among the people of Scotland, which should restrict the number of their Representatives. For my own part, I certainly cannot conceive that any objection to granting this increased Representation to Scotland can be founded on the argument of the necessity of adhering to the Articles of the Union; for his Majesty's Government have themselves departed from the Union, in all those parts of the Bill where it has suited their own views and their own purposes to do so, without any hesitation or scruple whatever. The learned Lord told us, indeed, on opening the discussion on this Bill, that he did not mean to follow the old system, or to leave even one rag or shred of it remaining. But my interpretation of the Articles of the Union has always been this, that they were intended to guard and protect us against any thing oppressive, but not to act as a bar to our receiving our fair and proper share of a benefit which is conferred on other parts of the united kingdom. I think his Majesty's Ministers might go upon the liberal principle which is admitted, I know, in all military transactions at least; for wherever there is an article, even in a capitulation, the interpretation of which admits of any doubt, it is always decided with a leaning rather to the weaker party than the stronger, in order that the weaker party may not be oppressed. I call upon his Majesty's Ministers to apply this principle to Scotland; and I say that, although we are the weaker party, there can exist no right to debar us from the receiving a benefit which we are entitled to claim under this Bill. I think the noble Lord, the Paymaster of the Forces, in allusion to what took place at the time of the Union, stated, that the Scotch were anxious to have some deviation from the proposed plan, and to have a greater number of Representatives; but to these representations the English Commissioner; answered, "You shall have forty-five Members, and no more;" and in this "practical and sensible" manner was the Representation of Scotland settled at the time of the Union. I cannot concur with the noble Lord in his application of the words, "practical and sensible," to this conduct of the English Commissioners; and I feel much more disposed to apply to it the epithets of unjust, arrogant, and dictatorial. Authority and power have interfered to oppress the weaker party; and I should incline to believe, that nothing but those strong means of influence which the learned Lord alluded to, as extensively prevalent at that period, could have induced the Scotch to give way, and to assent to what appears, by the admission of the English Commissioners, to have been so strongly felt as an act of injustice, in rating so low the number of the Scotch Representatives. There is no ground which can possibly be stated why Scotland should continue to be so treated. It cannot be said that the country is a conquered country: if any statement of that kind were made, I should beg to ask when, and by whom, has Scotland ever been conquered? Any one aquainted with the history of Scotland must know well, that it is a country which never submitted to any conqueror. Invaded it has been—successfully invaded—but conquered it has not been, for there is no record in history of any hostile power having been enabled to maintain a permanent footing in that country. But even if it were otherwise—even if it had been conquered, I contend that the term "conquered country," ought never to be applied to any portion whatsoever of a united kingdom. In a united kingdom there is no conqueror, and no conquered; the rights of all are equal, and it is only by proceeding on such liberal and enlightened views of policy that we can produce that state of unanimity, and of harmony, the existence of which is so essentially necessary for the preservation of our internal tranquillity, and for the advancement of our common interests. I claim, therefore, on the several grounds I have stated, that a greater number of Representatives be given to Scotland; and I take the liberty of moving, that, after the words in the clause now before the Committee, which have been just read by the hon. Chairman, there be inserted these words: "Two shall always be returned by each of the following shires—namely, Aberdeen, Ayr, Edinburgh, Fife, Forfar, Lanark, Perth, and Renfrew."

Lord *Althorp:* The right hon. Gentleman has made a statement of the relative proportions of the revenue of Scotland and England, and he has very truly observed, that there is a very considerable difference between the state of these proportions, at present, and their existing relation at the time of the Union; therefore, he contends, that we ought not to place Scotland on the same footing as she was when the revenue of this country was so much larger compared with hers. The right hon. Gentleman proposes to add eight more Members to the Representation of Scotland—that is to say, he proposes that that country shall have in the whole sixty-one Members, instead of forty-five. Now, Sir, the right hon. Gentleman stated, that the revenue of England exceeded the revenue of Scotland in the proportion of thirty to one, at the time of the Union, whereas its excess is now only about eight-and-a-half to one. Why, then, if, at the time of the Union, the number of Members to be allowed to Scotland had been calculated in this way, instead of forty-five Members, she would not have had more than between fourteen or fifteen; and, if the same proportion were to be preserved at present, instead of sixty-one Members, which the right hon. Gentleman proposes to give her, fifty-six would be the number of Representatives to which she would be entitled. It must, I think, be quite clear, Sir, that this was not the ground on which the number of Members was fixed at the Union, because the proportion of her Members then was three times as much as the proportion of her revenue, compared with what it is, on its present scale of forty-five, to the present revenue of Scotland. If we were to legislate on the same principle now, instead of fifty-six Members, Scotland ought to have the number 168, which would be three times the relative proportion it should bear to that revenue. I, therefore, must say, that I think any consideration of the amount of revenue, as bearing on the number of Members at the Union, and the number of Members that ought to be given now, should be put quite out of the question, for that never was, and is not now, the ground on which the number of Members should be fixed. The right hon. Gentleman should recollect, too, Sir, that the proportion of Scotch Members is not only increased by the number of eight, which we propose to add, but by other means; for not only will she have eight additional Representatives, but the number of English Members is also considerably diminished; and, therefore, instead of Scotland having fifty-three Members, bearing only the same proportion to the number of English Members, as her Representatives do at present, the advantage on the part of Scotland will be enhanced in the further degree, by which the now existing number of English Representatives is diminished; so that the advantage given to Scotland in proportion, is, in fact, much greater than it appears to be. But then the right hon. Gentleman says, that the population of the counties of Scotland is equal to that of the English counties, whose Representation has been increased, and on that ground, he asserts, a larger number of Members ought to be allowed them. The population of these counties has been properly stated, and the argument would have had some weight, if there were no other point to be considered; but there is another consideration of great importance to be remembered, and that is the number of electors. Now, I apprehend, that in the largest counties in Scotland, the number of electors, under this Bill, will not be equal to that in many of the smaller counties in England. I speak, of course, rather loosely, but I have seen a calculation of the probable number of electors; and it has been stated to me, that in all Lanark there are not more than between 2,500 or 2,600 voters. This calculation was shewn to me, not at all with a view to this discussion; but if I recollect right, the number of voters did not exceed that amount, notwithstanding it is one of those counties in which nearly the largest constituencies might be supposed to exist. Well, then, if this be the case in all those counties to which the right hon. Gentleman has alluded, the number of voters will be greater in the small counties of England than in the largest Scotch counties; and, therefore, when we are considering how many Representatives should be given to a country so differently situated in this respect from England, I cannot think that population, and population alone, ought to be the guide on which we are to go. For these reasons, Sir, I really do feel that this claim, in justice, does not exist in the way in which it has been put forward by the right hon. Gentleman. Then the right hon. Gentleman says, that Scotland will have the number of her town Representatives increased, but that she will not possess the same advantage with respect to her county Members. This, certainly, Sir, is very true; but the right hon. Gentleman should recollect how very inadequately the manufacturing population of Scotland has been represented: because, when we consider that such a town as Glasgow, and many other large manufacturing towns in Scotland, have had no more weight in the election of their Representatives than the smaller burghs with which they were connected, we must all admit that this branch of the Representative system in Scotland is very defective. The first thing that would naturally strike one, in looking to the state of the Representation of that country, would be, that the manufacturing interests much more required an increase of Representation, than the agricultural interests demanded the addition of county Members. For this reason, the course which has been adopted seems perfectly right, and the reasons I have stated fully justify the Representation of Scotch towns being increased in preference to that of Scotch counties. I must say, therefore, that, on the best consideration I can give the subject, it does not appear to me that the case brought forward on the part of Scotland for a larger increase in the number of her Representatives is one which is founded in justice. The amount of the constituencies of Scotch counties will be very small when compared with the number of electors in the counties of England; and, as I said before, the different circumstances in which the two countries are placed in this respect, must be taken into consideration. For these reasons, I shall feel myself bound to oppose the suggestions of the right hon. Gentleman opposite. I do so, not from any jealousy of Scotland, or from not wishing to see the inhabitants of that part of the kingdom adequately represented in this House, but because I think, upon the whole, that, as this Bill stands, they will be fully represented. Certainly they will be more fully, if not better, represented, than they have been hitherto, and will enjoy a larger share of influence in this House.

Sir *George Clerk:* The principal argument of the noble Lord is, that we are not to take the mere population of Scotland, but to look to the circumstances of the country. The only argument, however, in the noble Lord's speech that made any impression upon my mind was, that the number of Representatives had been increased in an adequate proportion with the number of electors. But I must confess, that I think the information he has received, as to the number of electors likely to be created under this Bill, very erroneous. He states that, from the accounts sent to him, he estimates the number of electors for the county of Lanark at 2,500. But I am certain that, before the first registers are completed, they will amount to double that number. We hear much of the great boon which this Bill will be to Scotland, in enabling the people to elect Representatives; but the value of that boon greatly depends upon your giving them Representatives to elect. And it must be admitted, that the number given her, under this Bill, will not compensate her for the loss of the advantages she used to enjoy in sending Members to this House through English boroughs. Let us look at the different principles under which Representatives might be given to Scotland. At the time of the Union, one of the first principles the English Commissioners looked to, was that of taxation; but that of Scotland not being one-fortieth of that of England, would only have given her ten Representatives, which being acknowledged to be too few, they turned their attention to the principle of population. At that time, it was calculated that the population of Scotland amounted to 2,000,000, and that of England to about 6,000,000, which would have yielded a proportion of one to three, and have given Scotland one-third of the total Representation—a much larger share than the proportion of taxes paid by her entitled her to look for. The third proposition was, that a ratio compounded of taxation and population, should be given. That was the principle adopted in fixing the proportion of the Irish Members, and was the principle also proceeded upon by Cromwell. His United Parliament was to contain thirty Members from Scotland, that is, one thirteenth; the total number being 400. The number proposed by the English Commissioners was thirty-two. The Scotch claimed much more; and this was the only question on which they had a solemn conference. Finally, the English Commissioners said, that they could not concede more than forty-five. The Scotch Commissioners thought this much too small a number; but, rather than throw any impediment in the way of the great measure of the Union, they adopted it. But if forty-five were then thought too little, surely the fifty-three proposed by this Bill cannot be thought enough! According to the noble Lord, we contribute one-eighth part of the revenue; and if we look to our population, we shall find it to be one-sixth that of England. If we take a just principle of population and taxation, we should, therefore, according to these data, be entitled to one-seventh of the Representation; and as the number of Members is reduced, by the English Bill, to 478, our share would be seventy-two. But instead of that, my right hon. friend only begs you to add eight more to what you have already given us, making our number sixty-one. I admit that, on account of the great advance Scotland has made in commerce and manufactures, it would be absurd to keep up the proportion of two county Members to one burgh Member. But if you adopt the suggestion of my right hon. friend, they will only be in the proportion of thirty-eight to twenty-three. The noble Lord stated, that it was impossible to follow the same rule in this respect in England and Scotland. But the noble Lord, for similar reasons, might have applied the same argument to the agricultural and manufacturing counties of England. Yet the object of the Bill of the noble Lord is, to preserve the proportion between the agricultural and manufacturing districts, in such a way as to give one Representative to every 25,000 inhabitants. I should be glad to have the same principle applied to Scotland, for that would give us eighty Representatives. Whether, therefore, we look to taxation, to population, to the two conjoined, or to the proportion allotted to the least favoured districts of England, Scotland is entitled to more Members than is given her under this Bill. I will not follow the line of argument before taken up by the right hon. member for Aldborough, with respect to the greater or less favour shewn to particular counties; but I am willing to compare the whole of Scotland with the least favoured agricultural districts of England. I confess, that when I consider the great importance of Scotland in an agricultural point of view, I think it but fair that it should be put upon an equal footing with the agricultural districts of England. I am unwilling to detain the Committee at any great length, after the able and unanswerable statement of my right hon. friend near me, which the noble Lord has not at all refuted. But there are one or two observations more I wish to make. The noble Lord thinks that Lanarkshire, with 300,000 inhabitants, cannot muster so great a constituency as I think it will; but there is hardly a house in Scotland, above the smallest cottage, which has not from a quarter of an acre to an acre of land attached to it, and which will not, by the proprietor, be estimated as being worth 10*l.* a-year to him. There cannot be the slightest doubt, therefore, that the number of electors created by the Bill, will be in a greater proportion than in any of the agricultural counties of England. Why not say at once, that all counties with above 100,000 inhabitants shall have two Members? With what justice can you say that the small county of Rutland shall have two Members, whilst Lanarkshire shall have only one? It is upon these grounds, that I give my cordial support to the proposition of my hon. friend, and hope that no objection will be taken to it by Gentlemen from other parts of the empire.

Mr. *John Campbell:* What I am about to say may not, perhaps, make me very popular in my own country, but the interests of justice require that I should candidly deliver my sentiments. It does appear to me that I, as a Scotchman, as well as the rest of my countrymen, ought to be satisfied. I acknowledge that the right hon. member for Perthshire has made out a strong case, which I do not think entirely answered by the noble Lord (the Chancellor of the Exchequer). But we ought not to consider what we are strictly entitled to, but what, under all the circumstances, we may reasonably ask. It appears to me that, from the reign of Edward 1st to the present time, England never dealt with Scotland on more liberal terms. I ask the right hon. Baronet whether it could have been expected, under ordinary circumstances, that England should consent to Scotland gaining Members, whilst she herself lost many? And by whom is this proposition for increasing the number of Scottish Representatives made? Have we forgotten General Gascoyne's motion, and who voted for it? Have we forgotten, that by that proposition England was to maintain her 513 Members, and that no other part of the United Kingdom was to gain any? Could it be expected by any one who voted for General Gascoyne's motion, that England retaining 513 Members, Scotland should have seventy, or even the sixty-one now proposed? No, Sir: all who voted for General Gascoyne thereby declared that they could not expect more than forty-five for Scotland—that they would not increase the numbers of the House. Indeed, I believe it has been, on all sides, admitted, that the numbers of the House are already too great. Why, the benches are not sufficient to contain us, even as we now are; and I think the Committee sitting upon the subject will find a difficulty in accommodating us all. But I have not heard it proposed by any one that the numbers of the House should be increased; and I apprehend that if any Reform Bill had been brought in by the hon. and right hon. Gentlemen opposite, Scotland would have fared much worse than she will do under the Bill of the Chancellor of the Exchequer. By asking too much, you often miss what you are reasonably entitled to; and I rather think that it was upon the expectation that Scotland would be satisfied with these eight new additional Members that they were given to her; for what would have been the use of giving them, if she was to be as much dissatisfied as when forty-five was the number allotted to her? It does appear to me that Scotland has no reason to be dissatisfied with the numbers given to the burghs; for although at the Union thirty were given to the counties, and fifteen to the burghs, yet, in point of fact, it is only since that her great burghs have risen into importance. All that she then had were a few miserable fishing communities, very unlike the Glasgow, the Paisley, and the Dundee, now so properly provided for.

Mr. *Robert A. Dundas:* I have no doubt that when we divide on the motion of the right hon. member for Perthshire, the word will be passed for a certain number of English Representatives to come into this House, and counterbalance the votes which, if confined to Scotchmen, would be in favour of that Motion. What answer has been given to the arguments of my right hon. and gallant friend, in favour of giving proper Representation to the Scotch counties? As all the ancient institutions of England have been subverted, and an entirely new system of Representation framed, I think it rather hard upon Scotland, that she is not to reap her share of the benefits of that system. My right hon. friend has brought before the House the population of the different counties of Scotland, to which he proposes to give two Representatives, and in all of them it is greater than those in England to which the English Bill gives three Representatives. As to the constituency not being as large, I think that what has been stated by the hon. member for the county of Edinburgh, is a sufficient answer to that question. If the feuars are to form an independent class of voters, it is an additional reason for increasing the number of the Representatives. I have no expectation individually, that the Motion of my right hon. friend will be carried. For a certain number of persons, pledged to support the Bill, as proposed by Ministers, will come in, and without having heard one single word of the arguments of my right hon. friend answered, because they are unanswerable, vote against him; but that is no reason why we, the Representatives of Scotland, should not show that country, that, although wishing the present system to stand as it is, yet that, as a new system is to be framed for England, we cannot acquiesce in any proposition which shall deny the people of Scotland their full and fair equality in that which is to be granted to the other parts of the United Kingdom. It is under these circumstances that I feel myself bound to support the proposition of my hon. friend, the member for Perthshire.

Mr. *Gillon:* I shall trespass but a very short time on the Committee. I think it my duty as a Representative of Scotland, the right hon. Gentleman opposite having declared that the people of Scotland will not be satisfied unless it have more Members, to express my conviction that they are, as they ought to be, perfectly content with the measure proposed by his Majesty's Ministers. What Scotland wants, is not so much an increase in the number of her Representatives, as an improvement of their quality—an improvement which will inevitably take place when they are elected by a large, independent, and intelligent constituency. Notwithstanding the odium it may bring upon me in the eyes of the hon. and learned member for Kirkcudbright, I am one of those who say, that Scotland has never hitherto been represented at all. The arguments in favour of a larger Representation for Scotland come with a particularly bad grace from Gentlemen who, by voting with General Gascoyne, virtually said, that Scotland, was not to have any increase of Representation. If the number of English Members had been kept at 513, and Scotland, according to them, be entitled to one-seventh, which would be seventy-five or seventy-four, are they prepared to say that the numbers of the House should have been augmented to that extent, when it is now acknowledged, on all hands, that our numbers are at present inconveniently large?

Mr. *Croker:* If, after all that has passed in these extraordinary debates, one could be surprised at any thing, I confess that I should have been astonished at the arguments which have been just produced by the last speaker, and by the hon. member for Stafford, who spoke before. These hon. Gentlemen, in denial of the claim made by their native country for its fair share in the new system of Representation, have stated, that all must agree that the numbers of the House are inconveniently large, as if the gross numbers of the House were any answer to a question, which in fact only applies to the proportions in which the numbers are to be distributed; and this objection, futile at any time, happens to be made at a moment when we are, as we last night also were, debating the representative rights of the ancient kingdom of Scotland, now so important a portion of the empire, in the thinnest House that I believe any subject of any thing like similar importance was ever discussed in. This part of the argument, which was peculiarly urged by the last hon. Gentleman, is contradicted by the eyes of every man around him. He may think our audience inconveniently large. I say that, on the contrary, it is, on many important occasions, injuriously small. I say, that if this House were now assembled in proper number, the justice and force of the claim of Scotland must to-night achieve a victory even against the majority of Ministers. I complain that it is the inconvenient thinness of the attendance; I complain that it is the paucity of our numbers, and the want of discussion and information on the case of Scotland, that will permit the perpetration of the injustice with which she is threatened. The hon. and learned Gentleman who spoke last but one (Mr. John Campbell), and who first broached this admirable argument, was particularly happy in his mode of putting the case. Scotland, he admits, ought, according to all the doctrines of statistics —according to every proportion of taxation—according to all the returns of population—according to every rule and measure of national inportance—to have more Members than the Bill allots to her; but then he has against this a conscientious objection—a constitutional objection—a philosophical objection — "we have not room!" Scotland has an immense and growing population. She demands and deserves a larger Representation, but you cannot comply with her just demand. Why? "Our benches are not large enough." Eight counties of Scotland have above 100,000 inhabitants, but you cannot give them two Representatives. For what reason? Our benches are not large enough! when the hon. Gentleman was speaking to comparatively empty benches—empty benches, which I will do him the justice to say, that for once he had not caused.

I must say, that it is the most surprising absurdity I ever heard, that the miserable details of our benches, and that the architectural formation of our seats, should be thought of in a great constitutional question, and urged as a reason why justice should not be done to the great, the permanent, and, I will add, the honourable, interests of that wealthy and important portion of the empire. The hon. and learned

Gentleman (Mr. Campbell) chooses to impute to hon. Members on this side of the House, that by voting with General Gascoyne in the last Parliament, that the number of English Members should not be decreased, they implied that they were against all increase of the Representatives of Scotland. I deny that altogether, and not without authority; for I had an explanation that very night with a right hon. friend who takes a great interest in the affairs of Scotland. I told him, that I voted for General Gascoyne's motion, in the hopes of keeping the Constitution as it was—of defeating the sweeping and devastating change with which we were menaced—I reserved to myself the right of considering the Scotch Bill as a distinct subject, and protested against being supposed to give, by that night's vote, any opposition to such a reasonable increase of the Scottish Members as the interests of Scotland, and the claims of her people, might require. These were my avowed sentiments on the night of General Gascoyne's motion and these are still my sentiments on the motion of to-night. I, Sir, am not one who, like the learned Gentleman, would measure the rights of the people, or the extent of the Constitution, by the miserable carpentry of the benches upon which we sit. But if we are to condescend to notice such trifles, allow me to ask, whether it was objected to the Irish Union that there was not room to accommodate the Members that might be sent from that country? I am old enough to recollect that, on that occasion, the carpentry, which the learned Gentleman reverences so highly, was pulled to pieces, and that there was no difficulty in making room to admit the additional 100 Irish Members.

The learned Gentleman has not looked into the works of legislators or of jurists, nor searched the texts of constitutional law; he has not referred to De Lolme, or Montesquieu, or Blackstone, but seems to have taken the *Carpenter's Guide*, or the *Builder's Directory*, as his manual of legislation; and yet I think that, had he duly studied these mechanical treatises, he might have discovered that means might, without any great difficulty, have been devised for admitting eight additional Members for the Scotch counties. If the objection is to be one of mere carpentry, I think his Majesty has cabinet-makers who can overcome greater difficulties than this; but, seriously, I am surprised to hear an hon. Gentleman, a lawyer, and a Scotchman, addressing almost empty benches, and saying, that he could not vote for the rights of his countrymen, because they would not have room to sit. In an early part of the evening, the learned Gentleman endeavoured to extend to England some part of the benefit which his country derives from the laws respecting registration; I took the liberty, on that occasion, of applauding and encouraging his endeavours; but let him now help us in trying to extend to Scotland some more of those benefits which England expects to derive from this new extended system of Representation. Let him not have one rule for one part of the country, and another for another [*hear, hear!*] I understand the meaning of that cheer. It implies, that I am wrong in stating that there is one rule for one part of the country, and another for another. If my assertion be doubted, I must prove it—I am called upon to substantiate the fact—I will substantiate the fact, and will prove that a great, and flagrant, and offensive injustice is done to Scotland, while other portions of the country are fostered and favoured.

A line, imaginary in some parts, a rivulet in others—at last, a river divides the county of Cumberland from Scotland. I make no apology for this discussion, nor for the introduction of the case of Cumberland; I have been invited to it. It has, moreover, been debateable land for the last 500 years; the local, and sometimes the general interests of Scotland have been contended for on that ground, and I here renew that battle. And great, I own, will be my surprise, if, after attending to the facts which I shall state, any Scotchman shall be found to vote against the motion of my right hon. and gallant friend (Sir George Murray)—a motion founded on the strictest justice as regards the empire at large—a motion which involves the dignity and honour of Scotland as a people—a motion, finally, made by one whom Scotland admires as a patriotic Statesman, while she glories in him as a victorious and laurelled soldier. I say, Sir, I cannot believe that any true Scotchman will vote against a motion so recommended, and additionally supported by the facts which it falls to my humbler lot to be able to supply. The county of Cumberland, thus separated from Scotland by an almost invisible boundary, appears, in the population returns, to contain 156,000 inhabitants. His Majesty's Ministers have said, that certain counties in England, which contain above a certain number of inhabitants, should each return four Members. They drew their line at 150,000, and Cumberland is included within it. Although I do not see the right hon. member for Cumberland in his place, I must observe, that Cumberland is a Ministerial county; that it is represented in the Cabinet which framed this Bill, and, therefore, it is not strange that its interests should have been attended to.

The House is well aware that Cumberland has received additional burgh Representation; and every body must see that, in reckoning a county population for Representation, we ought to deduct from it the population of the towns to which the separate franchise is given. Now, deducting the population given to the burghs in Cumberland, you reduce its population for county Representation to 115,000, so that, if the principle of Ministers were to be fairly applied, it would not give to Cumberland four county Representatives. But by this political legerdemain, of reckoning the burgh population twice over, however, it is to receive four. And this is not all: it is to be divided into two equal parts; so that, in fact, 57,500 inhabitants in Cumberland are to return two county Representatives. This is all very well; but let us just step into Scotland — cross the imaginary line in the mountains—cross the brook in the valley —cross the bridge at Longtown, and what do you find? Why, that one short step has removed you into a county where 230,000 inhabitants are entitled to have only one single Member. Recross the imaginary line—recross the brook in the valley—recross the bridge at Longtown, and you are again in the favoured county where 57,000 inhabitants are gratified by two Members. I know not whether the four new Members for Cumberland will represent its interests better than two now do; but if, as his Majesty's Ministers profess, this additional Representation be a great advantage, then I say, that Lanarkshire, and Perthshire, and Aberdeenshire, and, indeed, all Scotland, are shamefully defrauded; and yet the hon. Gentleman—a Scotchman and a lawyer—tells us that he does not look upon this as an act of injustice! But, no: he does not quite say that; he hesitates—he declares that his private judgment is not convinced—that he is not satisfied with the reasoning of the noble Lord; he hums and haws, and then he looks into his brief, and finally gives us to understand, that whatever his private opinions may be, he will speak from his brief, and vote against the motion of my gallant friend.

And then the learned Gentleman supports this monstrous case—a case which in itself he cannot defend—by a proposition more monstrous still. He says that Scotland shall endure this. For why? Because she already endures it—because she has never been fairly and freely represented. What an argument! As long, indeed, as we were living under our old institutions, as long as we were inhabiting the old—inconvenient in some points, perhaps—but venerable edifice built by our ancestors, we put up with inconveniences and irregularities, because they were reconciled to us by habit, endeared to us by happy recollections, and adequate, notwithstanding local defects, to our wants and our wishes, to our present happiness, and to our future safety.

When a proposition was made, isolatedly, some years since, for an alteration in the Representation of the people of Scotland, the opponents of that proposition used against it, with great justice and propriety, precisely the same argument which the hon. Gentleman has so improperly, and he must allow me to say, so illogically used on the present occasion. They said—and Scotland acquiesced for a long period of years in the argument—"As we are not going to make a general alteration of the representative system of the whole of the empire, we think it would be inconvenient to disturb that of Scotland." The argument was good at that time—it was irresistible; and the good sense of Scotland acquiesced in it, although no one, either here or elsewhere, denied that there were points in the Scotch system which it might be desirable to amend, if it could be done without risking the disorganization of the general system. But now, when you have disarranged, and disorganized, and destroyed every thing for the sake, as you tell us, of substituting a new and perfect system, is it not monstrous to hear Gentlemen turning round and saying that Scotland, forsooth, is still to be depressed and degraded (for the exception will operate as a degradation) by a partial adherence to the old and anathematized system? If you had left to England and to

Scotland the pride, and the glory, and the security of our ancient feudal fortresses, we were content to bear the inconvenience for the counterbalancing advantages; but when you have levelled those venerable edifices with the ground, when the bastion, and the buttress, and the battlements that protected our ancestors, are destroyed, and all their defences scattered to the winds, is nothing but the dungeon to remain? Are the glory and security to be swept away, and the traces of servitude and degradation only to survive? You have abrogated all that was venerable—you have destroyed all that was ancient—you have made yourselves a clear and unencumbered space, on which your political Vauban may trace without impediment, the rectangular and rectilinear fortifications, the scarps, and counter-scarps, the hornworks, and half-moons, which you are about to substitute for the picturesque and time-honoured towers of our ancient Constitution. Why, then, is Scotland to be excluded from the general regularity; and with what reason can the learned Gentleman defend this momentous alteration, on the ground that Scotland is unfairly represented, and then vote that, although an improving change be made everywhere else, the antiquated injustice shall continue in Scotland?

When we have swept away the electoral boundaries of every county, and of every city and town in England, why are we so anxious to keep to the imaginary boundary between Cumberland and Scotland? Will any man venture to tell me that Lanarkshire is inferior to Cumberland in any of the elements of Representation? What is the superiority which is to obtain for the English county a quadruple proportion of Representatives? The learned Member answers—because it has always been so. No such thing. Cumberland had, under the old unequal system, double the number of Representatives that Lanark had, but, under the new system, it is to have four times that number, though Lanark has four times the qualifications on which Representation is professed to be given. What was the condition of these two counties at the time of the Union? Cumberland, perhaps, was nearly in the same relative state to the rest of the country as it now is; but Lanark, and all the rest of Scotland, have risen in population, in wealth, in intelligence, and in all the elements of Representation, by the industry, the talents, the good order, and the increased civilization of its inhabitants. Is this civilization, this order, this industry, this wealth, this intelligence, this increase of population—are all these considerations now to be thrown aside; and are we to be referred back to the ancient time when Lanark, as the learned Gentleman has said, was a poor and miserable county, with only a few fishing towns on its borders?—and the learned Gentleman's argument is, that you should treat it as if it were so still.

If your new principle of Representation is worth any thing, it is because you profess that it will quiet agitation; satisfy popular feeling; bestow equality of rights; and tranquillize the country. But if it is to open any hope of such advantages—which, at best, I believe to be a mere delusion—it will at least be conceded to me that it must proceed on some general principle of fairness and justice. If you attempt to build a new system on foundations which you stigmatize as rotten, your whole edifice will fall to pieces. If you attempt to connect your new-fangled doctrines with ancient and forgotten, or, at least, discarded prejudices; if you measure the Scotland of to-day by the Scotland of an hundred years ago, I tell you, your measure will be the most fatal apple of discord that was ever thrown down to be run for in the race of turbulence by national jealousy. Do you fancy that a high-minded and jealous people like the Scotch will patiently submit to such a slight? and a slight, not temporary, but permanent—to last, at least, as long as your new constitution shall last. Such an injustice dissolves the principles of the Union, and will revive and perpetuate ancient feuds. We shall again have border wars, though of a new kind. The Scotch will make inroads, not for flocks, and herds, and beeves, and sheaves, but for Representatives. The black mail, formerly paid for the protection of cattle, must hereafter be paid for the preservation of Representatives. It is a singular thing, but it does, by a strange misfortune in human affairs, so happen, that where you see the greatest propensity to plunder, you generally see, close by, the greatest incitement also. Now, there is the Prime Minister's, my Lord Grey's, own county of Northumberland, which borders Scotland on the south-east, as Cumberland does on the south-west. I assure his Majesty's Government, that, in all fairness, the northern *catherans* may come down and lift a Member or two from that county. For if you look at the question statistically, fiscally, politically, nay, alphabetically, or by whatever fine words the Representation of Northumberland has been justified, you will still find, that, as compared with several of the counties of Scotland, it has many Members to spare. But, if not content with the plunder of Northumberland, these depredators should extend their inroad to Durham; what a rich booty that Member-breeding county would afford them—that rich and abundant nursery of new Representatives!

We have read that the old borderers have made Newcastle tremble; but if the modern depredators, allured by the richness of the booty, should only pass the Tyne, and get to Gateshead—Good Lord, what a prize they might make! Sir, I really cannot but fancy the new burgesses for Gateshead, and Kendal, and Tynemouth, and Wearmouth, Monks and Bishops, and Shields, North and South, carried off, like Bailie Jarvie, by way of hostages for a fairer distribution between Scotland and England of the electoral right and the representative privilege. This, perhaps, is treating so grave a matter with too much levity; but the feelings of dissatisfaction and jealousy, which I have pictured by these allusions, will exist, and will display themselves with more serious features, and more lamentable results. I repeat, can you hope to build any thing solid on so rotten a foundation? Can you expect that Lanarkshire, Perthshire, Aberdeenshire, Ayrshire, and those other great Scottish counties, which have of late increased so much in population, in wealth, and in intelligence, have at the same time so scandalously decreased in moral feeling, political pride, and national courage and independence, as to submit patiently to be degraded below Cumberland, Northumberland, and Durham, because the noble Lord chooses to adhere in this particular —and this alone—to ancient arrangements, and to preserve, to the injury of Scotland, the imaginary line which divides the countries?

All is to be changed; every county is dismembered; the limits of every city and town are obliterated; every charter, however ancient, is forfeited; rights, the most sacred, confiscated; constituencies which have sent to this House the St. Johns, the Windhams, the Walpoles, the Pulteneys, the Pitts, the Foxes, the Burkes, the Pitts and Windhams again, names twice honoured in our history; the Sheridans, the Tierneys, the Percevals, and the Cannings—the constituencies, I say, which gave these men to the British senate, are all swallowed in this political earthquake; their services forgotten; their former usefulness, not only contemned as obsolete, but arraigned as criminal—all, all is to be swept away. The rule of three is to level all before it, and to expunge from the new rule of English constituency those corporate bodies, and those electoral towns which have given political birth to all those eminent statesmen who contributed, while they lived, to the prosperity of the country, and, after their death, have conferred illustration on its history. But in the general wreck of rights, privileges, and property, of natural limits and of moral connections, one single object floats—one single distinction is preserved—the imaginary line that separates the hills of Scotland from those of England is to be not merely remembered, but maintained, and marked as an effective and practical political boundary. What is the consequence? The heathy mountains, heretofore untrodden, except by the shepherd or the sportsman, will now, I suppose, be startled by the visit of a band of commissioners riding to determine the boundary between the two countries—a boundary, on one side of which there shall be provincial partiality and Ministerial favouritism, and, on the other, flagrant injustice and national degradation. How long, I must again ask, do you expect that Scotland will submit to that injurious distinction?

But I will restrain these oratorical movements and impulses. I have been betrayed into them by the natural indignation which partiality and injustice must always excite, and by the warm and brotherly affection which I feel for the interests of Scotland, which are, in my opinion, injured and endangered, not merely by this Bill, but by the principles on which the two hon. Members opposite have supported it; but I need make no apology; I feel that my warmth will be not only pardoned but approved, when I am addressing a tribunal of high-minded English Gentlemen, on a question involving, in my opinion, the political rights and the national honour of the industrious, intelligent, gallant, and generous people of Scotland.

But putting aside all rhetoric, I shall

conclude by asking one plain question, and soliciting from the opposite bench a plain answer. What entitles the counties of Northumberland and Cumberland to be divided into four shires of about 59,000 inhabitants each, each returning two Members to Parliament, while Renfrew, and Fife, and Forfarshire, with 120,000 inhabitants, and Perthshire with 140,000, and Aberdeen with 160,000, and Lanarkshire with 250,000, are to have but one?

Mr. *John Campbell:* The right hon. Gentleman has made a personal allusion to me, which I feel bound to answer. I beg to state, then, that I am not the nominee of any rotten burgh; I am not sent here by any Peer or by any proprietor of boroughs. I spoke from no brief, nor have I received any retaining fee. There may be some nominees in this House who have received a retaining fee to do this or that; the right hon. Gentleman himself may have received a retaining fee; but let me inform him, that I stand here an independent Member of Parliament, being elected by an independent body of constituents, and that I speak the honest and independent sentiments of my own heart.

Mr. *Croker:* I beg leave to assure the hon. and learned Gentleman, that in saying he spoke from a brief, I meant no offensive allusion; I did not know how I could account, more delicately, for the learned Gentleman's saying, that he was not of the noble Lord's opinion, and yet that he meant to vote with him. To be privately of one opinion, and yet speak publicly for another, seemed to me to be very like what gentlemen are sometimes supposed to do when speaking from a brief. As to what the learned Gentleman has said about the retaining fee, I can sincerely assure him, that it never entered my head to suppose that any one would think of giving him a fee for his advocacy, either for or against the Bill.

Mr. *Maberly:* The right hon. Gentleman who has just sat down seems to have taken the whole case of Scotland to himself. Instead of defending the existing system, however, and merely asking for an additional number of Representatives, it would have been quite as fair if he had expressed his determination to support a measure of justice towards Scotland—a measure which should give her the choice of her Representatives. At present she has nothing like justice, so far as regards her Representative system. I would now put this case to the House; whether individuals, employing thousands of the population of Scotland—having all sorts of property, freehold, leasehold, and copyhold, and carrying on important manufactures in many parts of the country—ought not to have a voice in the return of Representatives for it? At present they have nothing of the kind. Then, I ask, whether some sort of Reform is not necessary? By the existing system, the Members for the Scotch burghs are returned by a self-elected magistracy, the people having no voice, either in the election of Magistrate or Representative. Under such circumstances, I should have thought that the right hon. Gentleman would have manifested his affection for Scotland much more strongly, if he had come forward to have supported something in the shape of Reform, instead of expressing his adherence to things as they are. Whether you regard the counties or the burghs, it cannot be said that a single man in Scotland is fairly represented under the existing system. Do the superiorities represent the landed interests? No such thing. Many of the superiority voters have not an acre of land. I will ask the hon. Baronet opposite, who is a dealer in superiorities, whether the superiority system of Scotland is not as bad, or nearly as bad, as the nomination system in England? I ask him, whether he has not many of these superiorities? whether he has not bought many of them? and I ask him, whether he, as a dealer in superiorities, can say that they represent the landed interests of Scotland? I have already said, that the self-elected bodies of Magistrates return all the Members for the Scottish burghs; the superiority voters, having themselves no interest in the land, return the county Members. These are facts which no one denies; and I venture to say, that there is not a town or a county in Scotland which does not complain of them. Yet the right hon. Gentleman professes to think that he is acting justly towards Scotland, by declaring that no change whatever in her Representation is required. I am satisfied, however, that any person who will look fairly to the state of Representation in that country, will see that it is far worse than the nomination system of England. At present the people of Scotland have no voice in the election of their Representatives. And yet the right hon. Gentleman, who professes to manifest so strong an affection for Scotland, is willing to continue the present system of election, and only asks for an additional number of Representatives. I am satisfied, that the people of Scotland would be content with the present number, provided they were admitted to the right—the just right—of electing them. If the right hon. Gentleman can manifest his affection for Scotland in no other manner than that which he has exhibited this evening, I am sure the people of that country will not thank him for it.

Mr. *Croker:* The sum of the hon. Gentleman's observations seems to be this—that, because Scotland has, heretofore, had in her Representation nothing but "superiorities," she shall hereafter have nothing but inferiority.

Colonel *Lindsay:* I must say, that the hon. Gentleman opposite has clearly and distinctly avoided answering any one of the observations of my right hon. friend below me. In no respect whatever did my right hon. friend defend the existing system in Scotland. His argument was this:—"If you are going to form a new Constitution for Great Britain and Ireland; if you are going to change the whole of the Representative system of the United Kingdom, you ought, in justice to Scotland, to give her a proportionate degree of Representation with the other parts of the empire." Upon what principle is it that the Representation of Scotland is to be changed? Is it upon the principle of population? If it be that, Scotland having a population of 2,000,000, and England having a population of 12,000,000, the Representation of Scotland should be in the proportion of one-sixth as compared with England. I will not repeat the arguments which have been so ably advanced by my right hon. friend below me; but I cannot help saying, that, under this Bill, Scotland will not have justice done her in respect of Representation; and that, for my own part, I would rather that her Representation should remain as it is. Had the noble Lord's measure of Reform been more moderate; had it gone only to a reformation of the burgh system, which I admit to be bad, no man would have supported it more sincerely than I should have done. The present system is undoubtedly a very close one; but the noble Lord's scheme for correcting it would lead to Universal Suffrage. It has been stated, that the people of Scotland will be satisfied with this Reform. If I thought that that would really be the case, it would go far with me to support the Bill; but I am of a different opinion. The hon. member for Selkirk has said, that the people are delighted and charmed with the Bill, and that they regard it as the greatest boon that could be conferred upon them. How can he judge of that fact? The people have been told of Reform, and, no doubt, are anxious for Reform; but they know nothing of this Bill. I do not know, then, upon what ground it is that hon. Gentlemen say that they will be satisfied with it. For my own part, I must repeat, that I think Scotland, under this Bill, will not be admitted to a fair and just proportion of Representation; and, for that reason, I shall support the motion of the right hon. Baronet, the member for Perthshire.

Admiral *Adam:* In answer to the observations of the hon. Gentleman who has just sat down, I can only say, that the people of Scotland hailed the principle of this Bill, at the late general election, with the utmost satisfaction. Another proof of the feelings of the people upon the subject may be found in the number of petitions which are daily laid upon the Table of the House, from every part of Scotland. With these proofs before us—the most legitimate, proper, and respectful that can be offered to the House—I know not how it can be stated, with any regard to truth, that the people of Scotland do not generally approve of the measure.

I only wish to make one or two other observations, in reply to what has fallen from the right hon. Baronet opposite. He asked in the course of his speech, how Scotland is to be fully represented hereafter, when, under the operation of the English Reform Bill, there will be no chance of Scotch gentlemen coming in for counties or burghs in England? In answer to that, I will only ask, how are Middlesex, Stafford, and Norwich, represented now? Will any man tell me, that the feelings of the constituents of these places towards their present Representatives will necessarily undergo a change when the Reform Bill shall have come into operation; or that Scotchmen, by their talent and worth, will not command the suffrages of the people of England to an extent fully equal to what they do now? Much has been said about the claims of some of the larger counties of Scotland to additional Representation, on the ground of the extent of their population. When that argument is advanced, it ought not to be forgotten, that many of the counties, having but a small population, are permitted to send Members to Parliament; so that, if you take the whole population of all the counties of Scotland, and divide it by the number of county Representatives, you will find that the Representation is fairly proportioned to the extent of the population.

Sir *Charles Forbes:* The hon. member for Abingdon has expressed himself in a very warm, but, no doubt, conscientious manner, upon the subject of this Bill. He commenced with a loud complaint, that although he had built houses and manufactories, and given employment to vast numbers of the people of Scotland—for which, as a Scotchman, I am sure I return him my sincere thanks—still, under the existing system, and no doubt it is the case, he has no right to vote for any one of the Representatives of that country. But the hon. Member is no doubt aware how easily he might have qualified himself, not only to vote for county Members, but even to represent a Scotch county. He has also thought proper to complain of the Representation of Scotland, as unconnected with the land. I confess, that such a complaint rather astonishes me; because I have always understood the general objection to be, that the Members who are returned under it are too much connected with the Court. Departing from this ground of complaint, however, whether right or wrong, the hon. Gentleman suddenly turns round upon me, because I happened to cheer a part of his speech, selects me as a particular object, against whom the provisions of this Bill may be most properly applied, and charges me not only with holding a number of superiority votes, but of being an actual dealer in them. Now, I admit, that I do hold several superiorities, I wish I held more of them, whether connected or unconnected with the land; for I insist upon it, that one is as good as the other. But as to dealing in superiorities, I deny the truth of the allegation. To be a dealer in any article, I must, as the hon. Member knows by experience, sell as well as buy. Now, although I have bought superiorities, I never sold one; therefore, I hope the hon. Member will admit that I am not what he would perhaps call a superiority-monger. I regret much that the nature and character of these superiorities have not been sufficiently explained to the House and the country; and I must say, that it is not very creditable to the legal Members connected with Scotland, who are perfectly competent to deal with the subject, that they have not so explained the real nature of superiorities as to enable the House to form a correct opinion upon them. My right hon. friend, the member for Portarlington (Sir William Rae), says, that the House will not listen to so dry, and, to most Members, perhaps, so uninteresting a subject. I perfectly agree with him; for I have observed—as these empty benches indeed testify—that the House is little disposed to listen to any part of the great question of Reform, as far as it relates to Scotland. Therefore, before the rush comes—before the House fills, in anticipation of a division—before the absent arrive to molest us with their impatience, I, unlearned as I am, will endeavour to give the House some more correct idea of what these superiority votes really are. Fortunately, by mere chance, I happen to have in my pocket an able letter, written by a Scotch Lawyer, upon this very subject, which I received as far back as the month of March last; and as it contains a full and clear description of the nature of the superiority votes, I hope the Committee will allow me to read it. It is in these terms:—

"The subject on which I trouble you, is that which is now agitating the country, and by which I see that the vested rights of individuals are about to be sacrificed, by way of experiment at improvement in our mode of election. I feel a particular interest in the measure; for it is only twelve months since I purchased a freehold in this county, which cost me nearly 600*l.*, and to yield it up without a word, would not be doing myself, my family, or my country, justice.

"Much has been said as to parchment voters, and so forth; but these are as old, and have as good a right to their property, as any in the country. Originally, the Crown gave a right to both superiority and property; but the superior has always had the right of creating vassals—that is, selling the property, *dominium utile*, while he retained the more noble part, the *dominium directum*. This is that part which gave him the right of voting in elections, while his vassal had merely the fruits of the soil. The rights of both are completely separate and distinct, the superior's estate being held immediately over that of the vassal; therefore the conveyancing of Scotland is according to the strict principles of the feudal law, the leading principle of which is, that the superior is lord of the fee, the vassal holding directly of him, as if all his rights were derived from the superior's grant.

"The power of superiors (with proper qualifications) voting at elections, is regulated by Statute. The Act of 1681, cap. 21, says, none shall have a power to vote in the elections of Commissioners of Shires, but those who at that time shall be publicly infeft in property or superiority of 400*l.* Scots, of valued rent, which rent is ascertained by the cess-books kept in each county. This Act, and others on the same subject, are supported by the Act of Union between England and Scotland; and to this Act I beg to refer you. The eighteenth article says, that no alteration shall be made in the law which concerns private rights, except for the evident utility of the subjects within Scotland. And by the twentieth article, all heritable offices, superiorities, heritable jurisdictions, &c., are reserved to the owners as rights of property, in the same manner as then enjoyed by the laws of Scotland, notwithstanding the Union. The Act, 16 George 2nd, cap. 11, defines what is a sufficient qualification—namely, lands holden of the king or prince, liable in public burthens for 400*l.* Scots, valued rent. No doubt, certain heritable jurisdictions were abolished by the Act, 20th George 2nd, cap. 41; but by the 6th section of that Act, reasonable satisfaction was ordered to be made to those who were affected by the abolition. There is, therefore, not the least question, that the superior of property is, by the law of Scotland, the only person who has a right to vote at elections, if possessed of the necessary qualification, although the feu-duty, payable to him from the land, may only amount to a penny; and any attempt made to deprive him of this property, is a violation of private rights, vested in him by the law of his country. An Act of Parliament is, no doubt, omnipotent; but it should be based on justice; and if the present scheme is carried, individuals may, by the same rule, be deprived of any property they have *bonâ fide* acquired.

"Supposing the Bill to pass, private rights ought, undoubtedly, to be guarded; and either of the following plans might be adopted. First, compensation should be allowed, according to the principle established at the time the heritable jurisdictions were abolished; or secondly, the vassals who are now to be benefited at the expense of the superiors, should be bound to pay for the superiority applicable to their lands, at a price to be determined by a Jury. This price may be fixed according, to a proof to be led, of the prices paid for superiorities for a certain number of years back. Either of these principles ought in justice to be adopted. If the vassal is to receive all the advantage, he ought to pay for it; but if it is thought that he ought not to pay, then Government ought to pay the value, according to the precedent already noticed."

I trust that this letter will give the House a clear idea of the nature of the superiority votes of Scotland. I have read it in the hearing of many who are able to correct me, if necessary. I certainly did not think it possible, that the hon. member for Abingdon could be so completely mistaken upon a subject of this nature, as to call the owners of superiorities mere parchment voters. In many instances, the proprietor of the superiority is also the owner of the land; and most landholders, if they have not the superiority of their own estate, at least possess one over other lands; and I contend, that they are as much entitled to the privilege of voting, as the landholder is to enjoy his land. It is well known, that many of them are extensive owners of copyhold estates, to which species of property no superiorities are attached, as not holding of the Crown. Part of my own lands is of this description, holding of the Earl of Fife, from whom I certainly have been anxious to purchase the superiorities; but have been prevented doing so, from their being held by his Lordship under a strict entail.

I shall conclude, with expressing my approbation of the Motion before the House. I think that it would be beneficial to increase the number of Scotch county Members. I beg, therefore, to return my thanks to the right hon. and gallant Officer, the member for Perthshire, for having proposed the measure, and to the right hon. Gentleman near him, the member for Aldborough, for having so ably supported it. That right hon. Gentleman has advocated the interests and honour of Scotland, in a manner that ought to put some Scotsmen to the blush. I must say that I never heard so eloquent, so able, and so just a speech in favour of Scotland in my life.

I beg pardon for having taken up so much of the time of the House; but I felt called upon to make these observations, in consequence of what fell from the hon. member for Abingdon. I should be sorry to say any thing obnoxious to my hon. friend, on this, or any other subject; for he has done more for the promotion of the manufactures of Scotland, and the employment of the people, than perhaps any other individual; and I feel thankful to him accordingly; but when he designated me as a dealer in superiorities, I did feel called upon to repel the insinuation; for, although I admit that I have bought superiorities, and given them away in my family, I again say, that I never sold one, Mr. *Cutlar Fergusson* said, that he had given his cordial support to the motion of the right hon. and gallant General, the member for the county of Perth. It was a reasonable and a just proposition, which Scotland had a right to expect would be acceded to; and the question really was, whether they would give or refuse to that country the adequate proportional share of the Representation to which her population, and her contributions to the support of the State, gave her an undeniable claim. Was Scotland to be made an exception to the liberal mode of dealing which was adopted towards other parts of the kingdom? Did Scotland deserve to be treated less liberally than Wales? yet two Members were given to Welsh counties, which had not one half of the population of several of the Scotch counties, and contributed a perfect trifle to the public Treasury in comparison with them. The county of Glamorgan, with about 100,000 inhabitants, and others of less population were to have two Members each; that is, one in addition to their former number, whilst the county of Lanark, with its 240,000 inhabitants, and its immense wealth and resources available to the State, was to be satisfied with its former number, that is, one Representative. The same observation applied to the counties of Edinburgh, Ayr, Aberdeen, and others. The Bill, it was true, gave to Scotland fifty-three Representatives, whilst, by the Treaty of Union, forty-five only was the number allotted to her. But since the Union, Scotland, let it be remembered, had increased in wealth in a much greater proportion than England. At the Union, the taxes paid by Scotland were to the taxes paid by England as one to thirty-five or thirty-six; they were now as one to eight, or nearly so. And how was Scotland dealt with at the period of the Union? Two independent nations treated, or were supposed to treat, on an equal footing, with a view to a Union of the Legislature of the two kingdoms; and yet the condition on which that Union was effected was, that one of those countries was to retain the full number of her Representatives, whilst the other was to lose nearly three-fourths of hers. A Union had been more than once attempted before the reign of Queen Anne—in the reign of Charles 2nd; so late as that period, the Treaty for a Union broke off, because the Commissioners for Scotland would not even take into consideration any proposition for reducing the number of the Scottish Parliament by a single Member, whilst the number of the English Parliament remained at its full amount. But, at a later period, means were found of overcoming such objections. The measure was carried in the reign of Queen Anne, which reduced the number of Members for Scotland to forty-five, whilst it left those of England at the original full number of 513. But how was this effected? By money—by corrupt bribery of money administered to the Scottish Statesmen of those days; by money paid out of the English Treasury, and despatched to Scotland by the order of Lord Godolphin. The list is published, and stands recorded to the disgrace and dishonour, not of Scotland, or of the Scottish nation, but of the corrupt and profligate Statesmen who betrayed and sacrificed her on that occasion. He could not understand upon what principle the noble Lord proceeded in opposing the claim which was made by the gallant General on behalf of Scotland. The noble Lord had consented to leave to the county of Selkirk, with its 8,000, and the county of Peebles, with its 11,000 inhabitants, each a Member, and he would give no more than one to the county of Lanark, with its population of 240,000. He (Mr. Fergusson) did not complain certainly of the noble Lord, for having left to Peebles and Selkirk what they had always had, and which it would have been most unjust to have taken away from them; but he complained, that the noble Lord did not deal liberally towards the large counties of Scotland, as he had done towards those of England and Wales. Four Members were given to Cumberland, whilst Scotch counties exceeding it in wealth and population were to have only one. None of the English counties to whom three Members were given exceeded, he (Mr. Fergusson) believed, in population, or equalled that of the most populous counties of Scotland. Three counties of Wales were to have six Members among them, whose population was not equal to that of the county of Lanark, which was to have one, and no more than one, Representative. Wales contained little more than one-third of the population of Scotland, and had not certainly one-third of its wealth. But Wales was to have twenty-eight Representatives, more than one-half of the number which was given to Scotland by this Bill. Yet he did not complain that too much was done for Wales, but that too little was done for

Scotland. He (Mr. Fergusson) trusted that full and equal justice would be done to Scotland as well as Wales, and that the House would accede to the Motion of the gallant General, as a reasonable and just proposition. He called upon the Members for Scotland in particular, upon every feeling of patriotism, and every principle of justice, to give to it their support.

Mr. *Keith Douglas* said, there is another circumstance which has not been alluded to in the course of these discussions, and which I think ought to operate as an additional inducement with the noble Lord to consent to the present proposition. Hitherto, the eldest sons of peers could not be Representatives for places in Scotland, but this Bill removes that restriction. Now, the English Reform Bill localizes, to a considerable extent, the Representation, and the sons of Scotch peers will not be able to get access to this House by means of those burghs which have hitherto served for that purpose. On looking over the list of Scotch peers, I find that there are fifteen eldest sons of peers who might be returned through the influence of their respective families for places in Scotland. I have no objection to the eldest sons of peers being elected as Members of this House for places in Scotland, but it must be recollected, that many of the gentry of the country will be thereby excluded from Parliament. This is a strong additional reason to assent to the motion of the right hon. Baronet. In making so extensive an alteration in the old system of Representation in Scotland, we ought to consider the probable working of the new machinery to be introduced: and, above all, to consider how much the influence of property will be lessened in that country.

Lord *Althorp:* It appears to me, that the arguments which have been used in support of this proposition are rather arguments *ad hominem*, than to the reason and principle of the proposition. It was said on a former occasion, and urged, I admit, with great truth, that the interests of Scotland had not been lost sight of in this House under the present defective system. Certainly the Members who will be returned under the proposed arrangement will not be less regardful of the interests of that country. During the course of my experience in this House, the influence of the Scotch members has not been small, though only forty-five in number, and that will not be diminished by giving to Scotland fifty-two members. It is, however, a little extraordinary, that all these complaints should originate with those who are opposed to all Reform; and I would also beg the Committee to recollect, that when the motion of General Gascoyne was brought forward—the object of which was to declare that no alteration should be made in the proportion of members to be returned from the different parts of the United Kingdom,—no objection was offered to it by those Scotch members who now complain that Scotland is not adequately represented, as regards the number of Members. If the motion of that gallant General had been adopted, no additional Members could now be given to Scotland; and yet hon. Members who supported it turn round and charge his Majesty's Ministers with having been guilty of injustice to Scotland! We have diminished the number of English Members, and we have increased the number of Scotch Members, and yet we hear constant complaints of our not having acted fairly. Looking at England and Scotland, as distinct, with respect to population, and also regarding the different circumstances of the two countries, injustice has not been done to Scotland by its not being put on the same footing as England in regard to Representation. We looked at the two divisions of the country, and we proposed those alterations which we thought most advantageous to each, and calculated to promote the permanent interest and welfare of the whole empire. It ought not to escape recollection, that the great mass of the population of Scotland, wealthy and intelligent as it is, has at present no share in the election of Members to this House. This Bill gives Representation to the people of Scotland: it brings into the constituent body the middle classes of the population; it, therefore, does justice to, and confers a great benefit on Scotland. The hon. and learned Gentleman asks,—"When you go so far, why not go farther?" But I say, that the people of Scotland have no right to complain when so much has been done; and it would be impossible to give all that is desired without acting unfairly to the other portions of the empire. Government is treated unfairly in being charged with having acted with injustice to Scotland, when it has given a Representation to that country which it never had before. I know that the Gentlemen opposite are opposed to Reform altogether; but I must complain of the mode in which we have been attacked, and blamed by those who could not be ignorant that we have done all in our power to satisfy the people of Scotland. I have been told that the people of Scotland are not satisfied; but I can only say, that I regret that this is the case, for I can assure hon. Gentlemen that the Government have been as liberal to Scotland as it consistently could be. I regret that this proposition should be forced on the Government by the friends of the measure; and I must say, that I do not think that we ourselves have been fairly dealt by.

Sir *George Warrender* said, I will very shortly reply to some of the observations that have fallen from the noble Lord. I took occasion, in the course of the last Parliament, to urge this subject on the consideration of the noble Lord; and I was in hopes that he would have been induced to assent to such an addition to the number of Scotish Members as is now proposed. I admit that it would not be difficult for the Scotch Members in this House to combine and carry a measure favourable to Scotland, but I think that such a course would be most unfair; and I trust that the Representatives of that portion of the empire would never be induced to coalesce in an object for the promotion of the advantage of one part of the community at the expense of the rest. With respect to Scotland having at present only forty-five Members, I would mention a curious circumstance, of which the noble Lord is perhaps not aware. It is a remarkable fact, that in addition to the forty-five Representatives for Scotland, there are now forty-seven Scotch gentlemen who sit in this House as Members for English places. When the Representation of England is localized, and the constituency remodelled, these will be excluded from the places they now represent. Considering, therefore, that, at present, Scotland is able to supply the deficiency in the number of its Members by means of the English boroughs, and that hereafter that means of access to the House is to be closed to her;—it appears to me that it is only a matter of justice to assent to the proposition of the right hon. Baronet. With respect to the eldest sons of peers, I agree with the observations which fell from the hon. member for Dumfries. I know more than one or two counties in which the influence of peers might be exercised in such a way as to secure the return of their sons. Taking this circumstance, therefore, into consideration, in addition to the fact that many Scotch gentlemen will be excluded from this House who now represent English places, I trust that the noble Lord will be induced to withdraw his opposition, and assent to the proposition of the right hon. and gallant Officer. At any rate, I hope that the Committee will take the same view of the case as myself, and admit that Scotland is entitled, on every claim of equity, to this addition to her Representation. I was in hopes, from what fell from the noble Lord, when he proposed that additional Members should be given to the Welsh counties, that he was prepared to make the same concession to the larger Scotch counties. I should be sorry to throw any impediment in the way of this Bill, as I think that it will make a beneficial change in the system that has hitherto existed in Scotland, and I know that the people look forward to it with the greatest anxiety. But I also know that assenting to this proposition would make the measure more satisfactory. I trust, therefore, that it will receive the sanction of the Committee.

Mr. *Cutlar Fergusson*: I am extremely sorry to find that I have been misunderstood. I beg to say, that I never accused the noble Lord of injustice; on the contrary, I believe he has been actuated by the best motives. I believe he has given this additional number of Members to Scotland with the very best intentions; but I must take the liberty of saying, that I think this part of his proposition will be a perfect failure. There was one part of the speech of the noble Lord which could have been intended to apply to nobody but myself. Now, I can only say, that my conduct on this occasion has been precisely of the same description as that which I have pursued during the whole of the debate, I have before stated, that I never will do any thing against the principle of the Bill, generally; but if any motion be made, of which I approve, or which I think will improve the details of the Bill, I will support it; at the same time, I am most ready to give the most efficient support in my power to the principle of the Bill. I could not, as a member for Scotland, refuse to give my assent to the proposition of the gallant Officer. I shall, therefore, give my vote in favour of the Amendment.

Mr. *James* said, it was usual for hon. Gentlemen to begin by saying, that they do not wish to prolong the debate, and he was not desirous of trespassing on its attention; but as some observations had been made with respect to the county of Cumberland, and as neither of the Representatives of that county was present, he might be allowed to say a few words. He had never heard so radical a speech as that which has been delivered by the right hon. Gentleman, the member for Aldborough. It was not sufficient for him that Members are to be given, according to the ancient constitution, to boroughs and counties; nothing would satisfy that right hon. Gentleman unless he had district voting. Yes, he said in effect, district voting! There might be anomalies in this Bill, but the right hon. Gentleman and his friends would give the country no reform at all before this plan was proposed. If Ministers had brought forward such a proposition as that the hon. Gentleman recommends, we should never have heard the last of it.

Mr. *Croker* begged to say, that he never made any declaration, one way or the other, on so general and vague a question as Reform. He had opposed the Ministerial schemes of Reform as dangerous in their principle, and unjust in their details. As for the other and contradictory charge which the hon. Gentleman had brought against his speech, as being "radical," the House would require no better proof of its not being so, than its having displeased the hon. Gentleman.

Mr. *James* assured the right hon. Gentleman, that he was not displeased with his speech; and if the plan of Reform should not be carried in another place—which he hoped to God, for the safety and peace of the country, it would be, or, if it did not produce good government, in either of these cases he would vote for the right hon. Gentleman's plan of district election.

Mr. *Jephson*, in consideration of what had been stated relative to the population of Scotland, and the comparative amount of the revenue, declared that he should vote in favour of giving additional Members to Scotland.

Sir *George Murray:* It gives me great pleasure to hear the hon. Gentleman state that he will give me his support on this occasion. I extremely regret the absence of the hon. and learned member for Kerry, because I recollect, that when I gave notice of this Motion, he was good enough to say that I should have his support. My object in rising, however, is to notice one argument which was adduced by the noble Lord. He said, that we had no claim to additional Members for Scotch counties, because we should have but a small number of voters under this Bill. That is an argument in favour of Universal Suffrage; because, if we are to be deprived of additional Members in consequence of the small number of our voters, then certainly the argument would arise, that the number of voters ought to be increased for the purpose of enabling us to obtain this additional share of Representation. I cannot, however, admit the principle to any extent, that I am here merely as the Representative of those who sent me hither by their votes. I consider that I am here for the purpose of representing the interests of the population of the country, generally, to which I belong; and when I am advocating any question before this House, I consider myself not merely as the Representative of those individuals by whose votes I am sent here, but as the Representative of all the interests included in that portion of the United Kingdom for which I am a Member; and it is on that principle that I have invariably acted throughout the discussion of this Bill. If his Majesty's Government can prove to me that this measure is really for the interest of all those people whose rights I am sent here to take care of, I will give it my support. The reason I withhold that support is, because I do not think the measure will be advantageous to the people generally. If we were to be bound by the principle that we are only to consider the interests of those individuals by whom we are immediately sent here, I must say that I think it would be the worst that could possibly be introduced into the Representative system.

Lord *John Russell* begged to say one word with regard to the reason given by the hon. member for Mallow (Mr. Jephson) for voting in favour of this proposition. They were not bound to compare the revenue of Scotland and England; for if he looked to the plan of his Majesty's Ministers, he would find that the principle laid down was population, and he was using an argument which might hereafter be turned against his own country. When the question of Ireland came before the House he would see that the proportionate amount of the revenue of that country and England, did not entitle it to more Members than it received at the time of the Union. With regard to Scotland, he thought no case was made out. The House divided. on the Original Motion; Ayes 113; Noes 61—Majority 52.

House resumed.

HOUSE OF LORDS,

Wednesday, October 5, 1831.

MINUTES.] Bills. Received the Royal Assent by Commission; the Game Laws' Amendment; the Wine Duties'; and the Administration of Justice in Ireland. Brought up from the Commons, and read a first time; the Cotton Factories.

Returns ordered. On the Motion of Viscount MELBOURNE, the Censuses for 1801, 1811, 1821, and 1831.

Petitions presented. By the Marquis of WESTMEATH, from the resident Justices of the Peace for Galway; from the Earl of WICKLOW, from the Catholic Free Burgesses of the Corporation of Galway, and by Lord CLONCURRY, from Galway, for the extension of the Franchise of that Town to Roman Catholics. In favour of the Reform Bill. By Lord AUCKLAND, from Greenwich signed by 2,500 Persons. By the Earl of ERROL, from the Society of High Constables of Perth. By a NOBLE LORD, from Hanley and Shelton in Staffordshire. By the Earl of CARLISLE, from Sandall Magna, and Market Harborough. By Viscount MIDDLETON, from Dudley, signed by 2,400 Persons. By Lord DACRE, from the County of Monmouth, and Householders of Cambridge. By the Earl of RADNOR, from Portmak, Butterworth, Eastwood and seven other places. By the Earl of Cloncurry, from Ardnarce and Clonakilty. By Lord PLUNKETT, from Grange Gorman. By the Duke of GRAFTON, from Ipswich, signed by 1,840 Persons. By Lord DACRE, from Freemen of Malden resident in London. By Viscount CLIFDEN, from Bicester, Market End. By a NOBLE LORD, from Tippermuir, Creiff, and Comrie. By Lord HOLLAND, from Castle Baynard Ward London; and from the Odd Fellows of Nottingham. By the Marquis of LANSDOWN, from Desborough and Burnham. By the Duke of SUSSEX, from Tipton, signed by 1,500 Persons; from St. Mary, Kensington; and from the Parish of the Holy Trinity, Brompton. By Lord KING, from the Isle of Wight; from a place in Somersetshire; from West Ham, in Essex, signed by 1,100 Persons; from three places in Lincolnshire; from a Parish in the West Riding of Yorkshire; and from the Members of the Leamington Political Union. By Viscount MELBOURNE, from a place in Aberdeen. By the LORD CHANCELLOR, from the City of Winchester; from a place in Staffordshire; from the Cordwainers of London; from the Magistrates and Town Council of the Royal Burgh of Ayr in Scotland, and from the several Incorporated Trades in that Burgh. By the Marquis of WESTMINSTER, from the County of Flint. By Earl GREY, from Chelsea, signed by 1,184 Persons. By Lord HOLLAND, from Harwich.—Against the Reform Bill. By the Earl of HAREWOOD, from the Bankers, Gentry, Merchants, and other Inhabitants of Bradford. By the Earl of SHAFTESBURY, from Launceston. By the Duke of WELLINGTON, from the Isle of Thanet, in Kent. By the Earl of JERSEY, from the Borough of Minehead.

[A somewhat unusual circumstance accompanied this day's debate in the Lords which is deserving of notice. On great occasions, it has been customary for one, or two, or perhaps as many as half-a-dozen, Ladies to attend in a small part of the space below the Bar, that is protected and screened by a curtain; but on this occasion a considerable number of Peeresses, and their daughters, and relations, attended every evening, occupying a considerable portion of the space below the Bar, where chairs were placed for their accommodation, and, as might perhaps be expected, they displayed all the enthusiastic ardour of the sex in their sympathy with the sentiments of the different speakers. The space about the Throne was occupied by Members of the House of Commons and distinguished foreigners, among whom was present this day, the celebrated Hindoo, Rammohun Roy.]

REFORM—PETITIONS.] The Duke of *Gordon* said, as he saw a noble Earl in his place (the Earl of Camperdown), who on a former evening had presented a petition which he said conveyed the sentiments of the inhabitants of Aberdeen, in favour of Reform, he availed himself of the first opportunity to declare, that the petition in question was signed by but few persons, and was got up in the old town, and by no means conveyed the feelings of the people of that place generally.

The Earl of *Camperdown* said, the Petition had been sent to him by a noble friend, upon whose information he had made the statement alluded to. Of course the noble Duke knew the opinions of the people of Aberdeen better than he, but he must at the same time observe, that he had understood the petition was signed by many very respectable persons.

The Earl of *Coventry* presented a Petition against the Reform Bill from the city of Worcester, signed by the Mayor, Aldermen, a great number of Magistrates, both of the city and county of Worcester, and by several of the most respectable inhabitants of that city. He begged to take that opportunity to state to their Lordships, that he was determined to vote against this measure. He was bound to no party, and he acted independent of all parties, and in the course which he should adopt on this occasion he should only follow the dictates of his conscience. Nothing that might be said out of doors should deter him from doing his duty. He would vote against this measure, because he thought that it went to subvert the fundamental principles of the Constitution. He had, when a member of the other House, presented a petition in favour of Reform in 1816, and it was after the most mature deliberation that he had come to the determination to vote against this Bill, as he looked upon it as pregnant with destruction to all the institutions of the country.

Petition to lie on the Table.

Lord *Wharncliffe* had a Petition to present to their Lordships against the Reform Bill, from the inhabitants of the borough of Ipswich, in Suffolk. The petition was signed by 435 persons, including two of the chief Magistrates there; thirteen out of the twenty-one members of the Corporation, nine Clergymen, by several Merchants, and by the greater portion of the respectable Gentry of that town and its vicinity.

The Duke of *Grafton* said, that the Petition from Ipswich, in favour of the Reform Bill, which he had presented, had been adopted at a public meeting, regularly convened, and that it had been signed by 1,817 persons, many of them the most respectable inhabitants of the place.

The Earl of *Radnor* said, that he had the curiosity to read the prayer of the petition which had been just presented by the noble Baron, as against the Reform Bill. The petitioners prayed their Lordships to take the proposed measure into their most serious consideration, and to make such changes in it as might be consistent with the prerogatives of the Crown, the privileges of that House, and the just rights and privileges of the people. That was the petition which was represented as being against the Reform Bill. He was sure that many of the petitions presented as Anti-reform petitions did not go further than that Petition, and that those petitioners merely prayed their Lordships to preserve to them their own peculiar privileges, and also to maintain the prerogatives of the Crown, and the rights and privileges of both branches of the Legislature.

Lord *Wharncliffe* said, that he rose to present to their Lordships a Petition against the Reform Bill, to which he begged leave to call their Lordships' particular attention. It came from the undersigned Bankers, Merchants, and Traders, of the city of London, and, that there should be no mistake as to the object of it, he should move that the prayer of it should be read to their Lordships. The other petitions which he had just presented, and to which reference had been made by the noble Lord opposite, had been sent to him as Anti-reform Petitions, and as such he had considered them. True it was that they prayed their Lordships seriously to consider this measure, as he had felt it his duty to do, but after giving to it that serious consideration, he also felt it his duty at once to oppose it, as they could not make it such a Bill as their Lordships could pass, seeing that they had been told that no alterations would be suffered to be made in it in Committee. He should not enter into that subject now; but it was in that sense that he understood the declaration which had been made from the opposite side of the House. The petition which he now had to present was directly against the Reform Bill. It had been adopted at a meeting which had been held in consequence of an attempt which was made to represent, that there was an universal feeling in the city of London in favour of the Reform Bill; and in the course of two days, Saturday and Monday last, 800 of the most respectable persons to be found in the city of London had put their names to this Petition. The persons who had put this Petition into his hands, had authorized him to state, that by far the greater portion of the property and wealth of the city of London was represented by the individuals whose names were annexed to it, as a proof that the feeling in favour of the Bill was not so strong now in the city of London, as it had been in March last. He begged to mention a remarkable fact, namely, that there were 9,600 signatures to the petition from London in favour of the Bill in that month, and that to a similar petition from London which had been lately presented there were only 4,700 signatures. The petition in favour of Reform from the city of London in March last, received only 600 signatures in the course of ten days, while the present petition against Reform, received 800 signatures in the course of two days. That was a proof that the feeling in favour of Reform was not so strong in the city of London as some persons wished to represent it. He would take that opportunity to offer a few observations on the remarks which had been made on his statement of a former evening, as to the change of feeling which he maintained had taken place in the cities of London and Westminster with regard to this Bill since the original introduction of it, and particularly with regard to the change which he asserted had taken place on that subject in certain quarters, to wit—amongst the inhabitants of Bond street and St. James's street. He thought that the inhabitants of those streets very fairly represented, the feelings and opinions of the class to which they belonged in the city of London, and he would now challenge any of their Lordships to go into the shops in any part of the town in London, Westminster, or Mary-le-bone, and not to find that there was a shrinking on the part of the inhabitants, and a dread of the dangers which they anticipated from this measure, and that blame was universally cast by the tradesmen upon his Majesty's Ministers for having introduced a measure of this description. He held in his hand a paper, giving an account of certain proceedings to which he could not avoid calling their Lordships' serious attention, demonstrating, as they did, that the dangers which were anticipated from this Bill, were neither chimerical nor far distant. The paper which he now held in his hand contained an account of a meeting of what was called "the Birmingham Political Union;" and he would say, that if their Lordships should be obliged, in coming to a decision on this question, to yield to the dictates of such persons as those who had figured at that meeting, the revolution which many anticipated and feared was not only begun, but it was actually over. He would entreat their Lordships' attention for a few moments to some of the sentiments which had been promulgated at this meeting. It appeared that this "Birmingham Political Union" was not satisfied with the reports which the newspapers furnished of its proceedings, but it was in the habit of publishing a report of its own, with a regular medal in front of the account of its proceedings. He would give their Lordships a specimen of the language employed by one of the orators at this meeting, a Mr. Haynes, and if such language was not the language of threat and of intimidation, and if it did not point to the employment of menaces and of physical force with a view to overawe the deliberations of that House, he did not know what species of language would merit that description. This speaker thus expressed himself, and their Lordships would bear in mind that this language was addressed to an assemblage which the person who used it, himself stated to amount to 150,000 persons. 'I thank 'God that the days of holy domination 'are over, and that my youth has been 'urged to additional exertion by the be'holding of a meeting like the present, 'assembled for the constitutional purpose 'of offering resistance to political oppress'ion. I say constitutional purpose, for I 'wish it to be known that English law 'recognises in the people a right to pro'test against, and oppose fiscal tyranny. 'Resistance to tyrants gave our forefathers 'Magna Charta—resistance to tyrants 'gave us the happiness of having a King 'like the present upon the throne—and 'resistance to tyrants will restore to us 'and our children all the blessings of 'which the boroughmongers have so un'constitutionally robbed us.' That was rather strong language, their Lordships would admit, but let them attend to the still more violent language employed by this individual. 'But in apprising you of 'your right to make resistance, I do not 'inculcate force. I agree that the power 'of the people is greatest, not when it 'strikes, but when it holds in awe—not 'when the blow is actually struck, but 'when it is suspended. As Manlius said 'to the Roman people, "*Ostendite bellum,* '*pacem habebetis*;" so I say to you, show 'that you can fight, and you will never be 'under the necessity of fighting. It is 'from the calm manner in which the peo'ple have exerted their power that their 'success has been derived. As Mr. Att'wood has said, the Leviathan is hooked 'in the nose, and with 150,000 men at 'the foot of Newhall-hill, to hold the rope, 'Leviathan could not escape. When the 'Reform Bill was carried into the House 'of Lords, they were surprised like Bel'shazzar at his unholy feast. They were 'not, like him, profaning the vessels of 'God's altar, but they were profaning 'that which next unto his altar, the Al'mighty prizes the most, namely, the 'happiness and liberty of his people. 'But now their dynasty is nodding to its 'fall, the hand-writing has appeared 'against them, they have been weighed 'and have been found wanting, and if 'they do not speedily give to us that which 'is our own, it will be taken from them. 'The power of the people is triumphant, 'they cannot stand against it; as well 'might the devils in hell rise in opposition 'to the decrees of Divine justice. As you 'are aware, my countrymen, we are met to 'the number of 150,000, to petition the

'Lords to pass the Bill.' Again he would stop and ask their Lordships whether that was not most violent language, and whether it did not furnish a sufficient evidence of the existence of a system of intimidation which was attempted to be put in operation for the purpose of controlling and influencing the opinions and decision of their Lordships? This speaker, however, even went beyond any thing that he had as yet quoted from him. 'The 'question (he said) has been frequently 'asked, "Will the Lords pass the Bill?" 'I answer the question by proposing 'another—Dare they refuse it?' Dare they refuse it?!! Such was the interrogatory which this individual put to an assemblage of 150,000 persons, and it was received by them with "loud cheers!" If, when their Lordships were about to take the question of Reform into consideration, they were to be thus told that they should "not dare" to refuse it—that they should "not dare" to oppose it—if language such as that did not amount to threat and intimidation, and to a menace of physical force towards their Lordships, again, he would say, that he did not know what language deserved such a description. If, when their Lordships were about to exercise that constitutional privilege and those constitutional rights which belonged to them, in deliberating upon, and disposing of, this measure, they were to be told by a person addressing a multitude of 150,000 individuals, that they should not dare to refuse to pass this measure—if such threats of physical force and physical violence were to be employed in order to intimidate their Lordships into an assent to this Bill—then he would say, and he thought he should be perfectly justified in making the assertion, that the revolution which they all dreaded was not only begun, but that it was, in point of fact, actually accomplished. When such terms as these were employed—when language such as this was held—when sentiments such as he had quoted were addressed to an inflamed and excited multitude of 150,000 persons—what could be meant other than a resort to physical violence to compel their Lordships to pass this Reform Bill? What was the language employed by Mr. Attwood, who was the head of this Political Union, at this meeting? He stated that 'every honest labourer in England had as 'good a right to a reasonable maintenance 'for his family in exchange for his labour, 'as the King had to the Crown upon his 'head.' And he went on to state, that it was with a view to attain that purpose—one that it was obvious was perfectly impracticable—that this Birmingham Union had been founded. 'If' this same speaker, Mr. Attwood, continued, 'he had seen this 'right secured—if he had seen every honest 'man in England possessing an undoubted 'security for an honest bread for his family '—if he had seen every honest labourer 'possessing abundant wages for himself, 'and at the same time leaving reasonable 'profit to his employer, he (Mr. Attwood) 'should never have assisted in the formation of the Political Union.' Was it safe to hold such language as that to an immense assembled multitude, and to make them believe that those effects would follow from the passing of this Reform Bill, which every man of common sense and common information in England must well know could never be brought about by it? Was it not a gross absurdity, a most unfounded expectation, to hold out to the people of England, that the passing of this Bill would be the means of furnishing to every labourer in England adequate wages for the support of his family? When it was well known that the labourer would only get those wages which his labour was worth in the market, was it not holding out delusive and deceptive hopes to the people of England, to address them in the language of this speaker for the purpose of exciting their feelings in favour of this Bill? Such were the expectations with which the people of this country were deluded, while, on the other hand, their Lordships were menaced with physical violence if they refused to pass this Bill. The employment of such language demonstrated what kind of means were resorted to, to delude the people with regard to this Bill, and to make them think that it would do that which every reflecting man in the country knew neither it, nor any other Bill, ever could effect. He had already stated circumstances to prove that the feeling in the city of London was not so universally in favour of the Bill as it had been represented to be, and that the public Press had most grossly exaggerated the feeling which prevailed on the subject in London and its neighbourhood. He had seen several persons who were present at the Westminster meeting, and other public meetings, held to consider of the propriety of petitioning on the Reform Bill, and they had represented them as absolutely ridiculous, and had stated, that the persons who acted the principal part on these occasions were positively ashamed of them. It could not be denied that exaggerations had been going about as to the state of the public feeling on the question. While he made this assertion, he at the same time willingly added his belief, that a vast majority of the people were looking for Reform. He repeated, that it was his conviction that a great majority of the people of England wished for a Reform in the mode by which they sent their Representatives to Parliament. He was willing to go the length of these admissions, but he must, in doing so, also declare his belief, that there existed in London and its neighbourhood great shrinking, among a large proportion of the inhabitants, from the provisions of this Bill. They dreaded its probable effects. He had not made these statements without foundation, and when a portion of the community entertained these sentiments, he thought it was only fair to be allowed to call upon them to give their support to the side he espoused.

The *Lord Chancellor* felt it to be impossible for him, as the person who had presented the petition from Birmingham to their Lordships on the preceding day, to abstain from saying a few words respecting a petition couched in such constitutional language. Before doing so, however, he must take leave to advert to the inconvenience of the course adopted by his noble friend (Lord Wharncliffe). His noble friend had, with his customary and characteristic frankness — a frankness which he highly estimated—explained his reasons for opposing the measure of Reform. He had explained himself fully, and he had been attended to fully; he had also been answered, as who had not? He had yielded to the common fate of speakers—that was to say, his speech had come to an end. Able as it was, it had been answered; and surely he did not want to come forward at another stage of the measure to take advantage of a future opportunity—he would not say pretext, for his noble friend was incapable of acting upon pretext, but he would say the opportunity—of making a second speech. [A *Noble Peer* observed that "he had a perfect right to do so."] A royal Duke had just said that his noble friend had a perfect right to do so.

The Duke of *Cumberland* disavowed the sentiment. "Some other noble Lord had said so."

The *Lord Chancellor* would then echo the remark of, "some noble Lord." He would echo it, and would, if it were to become general, adopt the principle. He would adopt it, and illustrate its efficiency and its expediency by his practice. Therefore, if he addressed their Lordships that evening, or the next evening, at considerable length, on the merits of the question—then, in order to try the expediency of this new regulation—if it were his fate to be answered as his noble friend had been answered—and if he were galled thereby, as he might chance to be—although he could not arrogate the right of speaking a second time in the debate—still, by having a petition to present on a subsequent evening, he could claim the privilege of making a second speech, and return an answer to all those arguments that had been advanced against him. [A *Noble Peer* from the Opposition benches, "To be sure."] A noble Lord said, "To be sure;" but he would ask their Lordships, if that were a mode in which they could continue the debate? If it were, then should he assuredly claim the benefit of the practice. But to pass to the subject which had led to the discussion. The noble Lord had condemned a meeting of 150,000 persons at Birmingham. [Lord *Wharncliffe* expressed his dissent.] Well, a part of the meeting, or an individual of the number, for using intemperate language. What did it signify whether it were one or more, he only protested against the principle of making whoever was present at the Birmingham meeting answerable for the vehement, unmeasured, and intemperate language of a single person. He would claim the same privilege for them as he would for their Lordships, and venture to appeal to noble Lords who were present last night, if, in dealing forth so hard a measure of justice to the people of Birmingham, if they were held responsible for a speech that had been addressed to them by a noble Earl—a speech which was grossly intemperate in language, which violated every principle of law—which contained a threat not amounting to the language of sedition, but to something very like the commission of a capital felony. He begged for one to put forward a protest on behalf of the men of Birmingham, against acknowledging them answerable for the intemperate language of one or two speakers, because they were present when it was used. It would be far more equitable to the honest men who had signed the petition which he had presented to that House, to judge of them by their own acts. He would inform their Lordships of one evidence of their disposition on the occasion of this meeting. Their last act was, to take off their hats, and, greeting the Royal name with enthusiastic demonstrations of affection, to pray devoutly for the welfare of their Sovereign. He did not advance this fact as a justification of the conduct of one or two speakers, but he adduced it to show that the meeting ought not to be condemned, as originating or assenting to language which, if publicly applauded, would tend to prove not merely that sedition was beginning, but that a revolution had actually been completed. He would not follow his noble friend in all that he had stated respecting the people of Westminster and Southwark being adverse to the Bill. His noble friend had spoken in a prophetic spirit, as if some demonstration of hostility were to happen within the next five minutes. He did not mean to restrict his walks to Bond-street, or even to St. James's, and he should not be surprised, if, instead of the unanimous voices of Bond-street, they should have, within the next five minutes, petitions not only from Bond-street and St. James's-street, but other petitions from other streets to-morrow, for the purpose of bearing out the prognosis of his noble friend respecting the state of the public mind. Not wishing to profit by the practice begun by his noble friend, he must again remind their Lordships of the inconvenience resulting from these desultory discussions when they were on the point of proceeding to the Order of the Day.

Earl *Grey* was not well qualified to say any thing on the subject of the Birmingham meeting, not having read the account of its proceedings, but he must concur in the protest of his noble friend, against fixing upon the meeting the crime—if crime it were—of the intemperance of individuals. With respect to any effect that might be produced upon their Lordships, he trusted that the House would not depart from its duty because individuals had indulged in the use of intemperate language. He recollected that, during the debates on the Catholic Question, discussions had arisen, as well on petitions as on the measure itself; and no topic was more cheered by the opponents of the measure, than the topic of referring to the intemperance of Roman Catholics, in stating the consequences that would result from passing that Bill. He could cite quite as intemperate quotations as any that they had heard that night, from the discussions of that period; but he thanked God that the noble Duke then at the head of his Majesty's Government, and his colleagues, had, notwithstanding, had the good sense to persevere in passing the measure. He would now say a few words as to the feelings of the people of London on the question before their Lordships. The petition presented by the noble Lord (Wharncliffe) had, no doubt, names from many most respectable London houses subscribed to it; but it was too much to suppose, that the 800 persons whose signatures it bore spoke the sentiments of that city. The noble Lord's petition had been voted at the Crown and Anchor, without any previous public notice of the meeting; the petition which he (Earl Grey) had presented, had, on the contrary, been voted at a meeting, advertised in the most widely-circulated journals of the metropolis, for at least a week before it was held. If it did not contain so many names as the petition in favour of Reform last session, it was because the previous petition had lain double the time for signature. Facts would speak for themselves; and he was convinced that they would find hereafter that the people of England were as much in favour of the Bill now, as they ever had been since its introduction to that House. Many who had formerly disclaimed the object of the Bill had now very much altered their tone, and had shown an inclination to adopt some measure of Reform. He could not sit down without adverting to a statement which he had heard during his entrance into the House—a statement alleging that he would admit no alteration in the Bill. Though he had expressed himself plainly and intelligibly on the point, the subject was again agitated. Now, to prevent misconception, he begged to state, that though he was willing to admit any alterations consistent with the principle of the Bill, he would not consent to any thing that might subtract from its original efficiency. He had declared the same thing the other night. He had said, that if the present Bill were rejected, he would not be the person to propose any less satisfactory measure. He had stated this distinctly, and it had been repeated by a noble Earl opposite on a subsequent evening—a proof that he, at least, understood him. But while he said this, would their Lordships think he could be so disrespectful to that House, so disregardful of its privileges, as to anticipate what alterations their Lordships might decide upon making in Committee? That was a matter which depended upon their Lordships. Into Committee the Bill ought to go, if noble Lords acted consistently with their own opinions. He had heard noble Lords on the opposite side assenting to the principle of disfranchising the decayed boroughs; he had heard them assenting to the principle of giving Members to wealthy and populous towns; he had heard them assenting to the principle of adding to the Representation of counties—indeed, they had assented to the whole principle of the Bill; and all that remained was only a question of degree, which would come properly under the consideration of the Committee. Then let them go into Committee on the measure; and he would tell noble Lords, that when there, if they proposed any alterations that would tend to diminish its efficacy—that instead of being a benefit would make the Bill a delusion to the people—such alterations he would strenuously oppose. He should be prepared to discuss these alterations, and to prove their unfitness to be adopted. He had expressed his determination over and over again, and he trusted that there would be no necessity for further explanation. He never would be a party in proposing any measure falling short of the essential qualities of the present; but he had not said that he would admit no alteration that might be consistent with the principle of the Bill, or that he would never agree to any alterations that might be proposed in Committee.

The Earl of *Haddington* said, the noble and learned Lord on the Woolsack had thought it right and proper to read his noble friend (Lord Wharncliffe) a lecture for having taken the occasion of the presentation of a petition to make a second speech upon the subject of the Reform Bill. Now he appealed to the judgment of their Lordships, and he asked them, if the conduct of the noble Earl (Grey) did not call, and far more loudly, for a lecture than did the conduct of his noble friend? for the noble Earl had not only made a second speech, but he had done so after the lecture of the noble and learned Lord on the Woolsack; and notwithstanding the fact that, in accordance with the regular proceedings of the House, he would, at the proper time, be entitled to a reply. The noble Earl had made a strong appeal to those who were opposed to the Bill, but he would then make no reply to that appeal, but content himself with simply protesting against its irregularity; for although he had not yet made one speech upon the question, he would not upon the presentation of a petition be induced to do so. His noble and learned friend on the Woolsack had assumed, and in that assumption he was understood to be joined by the noble Earl (Grey), that his noble friend (Lord Wharncliffe) had impugned the general conduct of the meeting at Birmingham; but in reality his noble friend had done no such thing. His noble friend had complained of the threats held out against their Lordships, and the attempt made to intimidate them; and in illustration of the truth of the charge, his noble friend had alluded to certain expressions used at the meeting at Birmingham. His noble friend had a perfect right to pursue such a course, and he cordially concurred with him in maintaining it. He was not one of those who did not admit the existence of a strong feeling in the great body of the public in favour of the measure, but he contended that that feeling was the result of delusion; and he contended further, that though the great bulk of the educated and intelligent portion of the community were in favour of some measure of Reform, still that the majority of them looked upon this Bill with apprehension and with dread. And how was the validity of that opinion to be tried, or what were the grounds upon which it had been formed? Let their Lordships look at the results of the attempts recently made to get up public meetings in favour of the Bill. With very few exceptions indeed those attempts had been failures. What was the meeting in Westminster? It was a failure. What was the meeting in the city of London? It was not to be compared with the meeting which had been held a few months previously. From the former a petition with 9,000 signatures had emanated, and from the latter a petition with 4,000. He inferred from these facts that there was a doubt in the public mind as to the character of the Bill, that there was a pause, and from that pause he anticipated a happy return to that wise and deliberative conduct which had so long distinguished the people of this country, and from which they had, unfortunately, lately been swayed.

The Duke of *Buckingham* said, he wished to call their Lordships' attention to the question properly before them. His noble friend (Lord Wharncliffe) had not complained of language hastily uttered in the moment of excitation, but of printed statements, deliberately circulated, and circulated, too, with the seal of an organized Political Union affixed to them. He perfectly agreed with the noble and learned Lord on the Woolsack, that the sins of the few ought not to be visited on the many, and he thought it would be a gross injustice to the great body of the people of England to mix them up with the use of language that was calculated to lead to the destruction of law, order, and property. He was delighted at having an opportunity of expressing his firm conviction, that the great body of the people of this country were strongly attached to the form of government under which they lived; but their Lordships would recollect, that the mischievous doctrines complained of by his noble friend proceeded, not from a single individual, but from a Political Union—a Union, too, which had been acknowledged by the noble Earl at the head of his Majesty's Government—a Political Union which had not only been acknowledged by the noble Earl, but with which the noble Earl had corresponded. He could not, of course, pledge himself to the fact; but although he had not seen the letter from the noble Earl, that letter had been published, and its authenticity had had not been denied. He trusted that this lesson would render the noble Earl more cautious in future, and not so ready to acknowledge or to correspond with Political Unions. With respect to the explanations which had been entered into by the noble Earl, he must be allowed to say a few words. The noble Earl had explained one passage of his speech, and of course he (the Duke of Buckingham), as he was bound to do, gave every credit to that explanation. He could not conceive, however, that it was meant to apply to a passage which he had taken down immediately after it was delivered. The words of that passage were these—"Your Lordships must take this Bill," at which there was a loud cheer; and when that cheer subsided, the noble Earl again said—"Your Lordships must take this Bill, or some other measure more dangerous, which your Lordships will not be able to resist." Those were the words which had been used by the noble Earl, but if the noble Earl attached any particular explanation to them, he would be ready to adopt it. He did not wish to tempt the noble Earl to make another speech on that occasion, as he would have an opportunity of giving an explanation when the noble Earl replied at the end of the debate.

Lord *Plunkett* would ask the noble Duke if he had not heard the noble Earl say, that if this Bill were rejected, he would refuse to bring in one less efficient? Perhaps the noble Duke would admit that he had heard this statement, but that he had also heard the words he had mentioned to the House. When his noble friend said, that if their Lordships rejected this measure, they might have a stronger one proposed to them, that was obviously only the expression of an opinion; but it was an opinion, he must be allowed to say, in which he entirely concurred, and in which every body else, he thought, must concur, who looked back upon what had been the consequence of rejecting reasonable measures. The rejection of safe, just, and reasonable measures had very frequently been followed by the adoption of measures on the same subject which were neither safe, nor just, nor reasonable. Now the noble Baron (Wharncliffe), and the noble Duke (Buckingham), had admitted that the language complained of was to be imputed, not to the meeting, but to an individual, and if the noble Lords were sincere in this admission, he could not see how that language could be a warning to his noble friend how he had any thing to do with the Birmingham Union. The guilt was not the guilt of the Union, but of an individual: and when the noble Baron stated, that because an individual among 150,000 persons had used violent language, a revolution had not only begun but was over, he must say, that the noble Baron made the most magnificent deduction from slender premises that he had ever heard. But this was the manner in which noble Lords were pleased constantly to deduce the existence of that intimidation by which they persuaded themselves that it was sought to deter them from doing their duty.

Lord *Tenterden* admitted the danger of

rejecting just, and safe, and reasonable measures, but the question for their Lordships to decide was, whether the Ministerial measure of Reform was just, and safe, and reasonable; and, in order that their Lordships might come to a decision upon that question without unnecessary delay, he begged to move that the Order of the Day be now read.

Earl *Grey* said, that the noble and learned Lord was quite out of order in making such a motion, since there was already a motion before the House. Besides, there were still several petitions to be presented.

Lord *Tenterden:* I was not aware that there was any motion before the House.

The Earl of *Wicklow* said, he could not reconcile it with his feelings as to his duty to allow the discussion upon the Birmingham meeting to close without drawing their Lordships' attention to one point. He agreed with the noble and learned Lord on the Woolsack, that it would be unjust to attribute to a whole meeting the intemperance, whether premeditated or not, of one man; but he wished to know from the noble and learned Lord on the Woolsack if his correspondent had apprised him of any proceedings to the following effect:—' That a gentleman at the ' meeting had stated that as a Hampden ' had refused the payment of Ship-money, ' so would he, if the Reform Bill was re-' jected by the Lords, refuse the payment ' of all taxes. And having made that ' statement, he called upon all those who ' were favourable to it, and would support ' him in it, and would adopt it, to hold up ' their hands. Upon which a forest of ' hands was held up amidst an immense ' cheer. That that being done, the speaker ' called upon those who dissented from the ' proposition to hold up their hands, and ' not one hand was held up.' Was the noble and learned Lord aware that any such proceedings as that had taken place, and, if they had, was he still prepared to characterize the meeting as orderly, peaceable, kindly, and constitutional?

The *Lord Chancellor* said, that nothing could have been more natural than his noble and learned friend's (Lord Tenterden's) mistake, in supposing that they had been debating for a couple of hours without a question before them; for it was a thing that they were in the habit of doing continually. But it so happened, most extraordinarily, that there was a question before them at that instant, and he should avail himself of it to answer the query that had been put to him by the noble Earl who had just sat down. His correspondent, he begged to say, had not mentioned the fact which had just been stated by the noble Earl; nor had he heard of it till that moment. He certainly did not like the fact, but what he had to say about it he would reserve for the debate on the Bill. Undoubtedly it was a disagreeable piece of intelligence; but, nevertheless, as a lawyer, he must say, that all those hands might have been held up, and yet he could not say that there was any breach of the King's peace, or any offence that the law knew how to punish. He could not help it. Such was the law. With respect to the "kindly" disposition of the meeting, that was a new word introduced by the noble Earl. What his correspondent had stated was, that the meeting was conducted as regularly as one of their Lordships' meetings, and that it had separated as quietly as children coming out of a village school.

The Earl of *Eldon* should be ashamed of himself, if, after living so long in his profession, he did not take that opportunity of saying a few words. No man could be more ready than he was to admit that a meeting was not answerable for the declarations of an individual; but if by holding up their hands, or in any other way, the meeting had endangered the peace of the country, he knew no reason for believing that they had not already fallen into the situation of being answerable to the laws of the country. If those statements which had been read to the House had really been made, he would take the liberty of saying, that if those statements had come under the cognizance of the Law Officers of the Crown, and if no satisfactory explanation of them had been given, those authorities had not done their duty to the country in failing to bring them under legal notice. But this being the case, he was necessarily disposed to believe that there was some way of accounting for men having presumed to make such statements. As a lawyer, he begged to apply himself to the Lord Chief Justice of the King's Bench, and to the noble and learned Lord who, for so many years, had presided over the Court of Common Pleas (Lord Wynford); and he desired to know from those noble and learned Lords whether, if those hands had been held up in the manner that had been described—and the fact could be proved—every individual in the meeting was not, in point of law, as much answerable as the man who had proposed to them to hold up their hands. And he begged to tell the noble and learned Lord (the Lord Chancellor), towards whom he should ever entertain the greatest respect, that his seat on the Woolsack would not be a seat which any one could maintain for six months, if the doctrines which were now circulated throughout the country—which were every morning placed under the review of every one—were suffered to be promulgated any longer. That was his opinion; he alone was answerable for his opinions, and for that he was prepared to answer at all hazards.

The *Lord Chancellor* rose, not so much for the purpose of replying to the observations just made, as for the purpose of preventing his noble and learned friend under the gallery from answering the question put to him. If the matter in question were an indictable offence, his noble and learned friend might be called upon to try it, and, therefore, he would at present feel the impropriety of delivering any opinion respecting the law as applicable to the acts done. It was quite a mistake to suppose that he (the Lord Chancellor) had given the slightest countenance to the Birmingham meeting; he merely said, that no breach of the peace had been committed. An indictment might be preferred for an offence of another nature; upon that he gave no opinion; he went no further than to say, that no breach of the peace had been committed. The Chairman said it was a peaceable meeting, meaning that there was no riot.

Lord *Tenterden* was not ungrateful to his noble and learned friend upon the Woolsack for the admonition received from him, but he could assure the House, that, even without that admonition, he should have refrained from pronouncing any opinion, for the matter might come before him judicially; and if his noble and learned friend had not so addressed to the House the necessary explanation, he himself should have felt bound to explain.

Lord *Wharncliffe* did not mean to impute the words of the speech to any one but the person by whom it was spoken, or to fix responsibility for it upon any other person; but he desired to call the attention of Government to this, that if they allowed such proceedings to go on much further, and questions as to the payment of taxes to be mooted in so large an assembly of persons, everything like legitimate authority in the country must cease.

Lord *Holland*: I do not rise for the purpose of calling any one to order, but I would beg to request the attention of the House, in order that I may be allowed to state the condition in which matters now stand. The question before the House is, that a certain petition do lie upon the Table, and upon this a conversation takes place. Now I have no intention of making observations upon the Birmingham meeting, or upon Political Unions, any further than to observe, that what we heard to-night is nothing more than a repetition of what the noble and learned Lord opposite has often said before upon similar occasions. For example, when the Association in Ireland was under discussion, and also in the case of various other Associations in other places, he over and over again told us, that the country could not last if such things were allowed to continue. I confess it has always appeared to me, that discussions of this nature will neither redound to the honour or dignity of this House, or in the least degree assist our deliberations. However, upon that subject I will not trouble your Lordships with any observations, neither shall I say much upon any other topic; but I cannot refrain from just noticing what fell from a noble Baron as to the feeling of the city of London, and which I cannot for a moment allow to pass without registering my dissent. But as to what fell from a noble Earl on the Cross-bench (the Earl of Haddington), I will assert that nothing more unjust, more unwarrantable, or more uncalled for, was ever uttered. What has my noble friend (Earl Grey) done to call for the censure of the noble Earl? I have heard words quoted by the noble Duke, and attributed to my noble friend, upon which my noble friend has given an explanation, and that the noble Earl described as making a speech. And what do these words amount to?—If you reject this Bill you will soon have another Bill for Reform, though not from the same hands, or from the same Government—which would be a Bill in truth more unpalatable to some of your Lordships, though, probably, more in accordance with the votes of this House. I can think in such circumstances of a noble Lord or noble Duke who had previously declared that nothing could induce him to form part of any Government which sanctioned a measure of Reform; I can now fancy such a noble Duke coming down to this House and saying—"Things are most materially changed—there is a collision between the House of Lords and the House of Commons. I know what war is, and you do not. I told you I had no intention of bringing forward a measure of Reform, but now the state of things is most materially changed; but don't allow large meetings, such as that of Birmingham, to intimidate you—be bold, be stout, be determined. But if the Association be once formed, you must give way; then there is danger of war, and agitators are abroad; and I know what war is, and I tell you, you are in a different situation from that in which you before stood, and I will drag you through the mire, after having before bespattered you." It is just possible that a noble Duke might hold such language. Is it not just possible, too, that a right hon. Gentleman in another place might say something of the same sort? He might say "my opinions are not altered—I am really opposed to the Bill, but there is danger, and it is only to danger that I would yield; and, therefore, I recommend you to make concessions to the dangerous spirit of the times." Surely, my Lords, you cannot fail to ask yourselves this—is it not much more dignified to yield before there is danger than afterwards? As respects this House, the present is now a virgin question. If you agree to Reform now, it becomes the spontaneous act of this House. I ask your Lordships, is not such a course more consistent with the dignity of this House, and likely to prove more advantageous to ourselves, than to concede after rebellion has raised its head? There is no shrinking from this truth—either that you must take the Bill now, or be forced by circumstances to adopt hereafter a measure full as efficient, and, perhaps, less acceptable to this House; whereas, if the proposed change be adopted before the danger arises, all idea of intimidation will be out of the question.

The Duke of *Wellington* said, the noble Baron rose, and made a speech to order, and I never recollect a speech more inconsistent with order, or with the practice of this House. On the question, "That the Petition do lie upon the Table," the noble Baron referred to a debate, going on, I may say, upon a subject now under the consideration of Parliament; and he also referred to a debate on a subject respecting which I rather thought that, for once in my life, I had obtained the approbation of the noble Baron. This discussion has now lasted some time; but, during the whole of it I remained silent. I did not wish to draw your attention to the Bill now on your Lordships' Table, upon an occasion merely of presenting a petition. I have not said one word; I have not uttered a cheer during the present debate, and I do not see how my sentiments can with propriety be brought into discussion. I do not deny that I always felt strongly the attempts that were made to intimidate your Lordships; but for that meeting which has been described in the paper produced in this House, and for all such meetings, I feel the greatest contempt; and I am perfectly satisfied that the House is superior to any intimidation founded on the proceedings of any such assemblages. I feel no concern for all these threats, whether proceeding from Birmingham or elsewhere. I have always thought, and I think still, that the law is too strong to be overborne by such proceedings. I know further, that there does exist throughout this country a strong feeling of attachment to the government of the country, as by law established. I know that the people look up to the law as their best means of protection, and those laws they will not violate in any manner to endanger the government of the country, or any of its established institutions. I am afraid of none of these, but I will tell your Lordships what I am afraid of. I am afraid of revolution, and of revolutionary measures, brought in and proposed by his Majesty's Government. I assert, and I believe that history will bear me out in the assertion, that there has been no revolution in this country, or any great change, which has not been brought about by the Parliament, and generally by the Government introducing measures, and carrying them through by the influence of the Crown. I would therefore entreat your Lordships to do all you can to defeat this measure—use every means of resistance which the just exercise of your privileges will warrant, and trust to the good sense of the country to submit to the legal and just decision you come to.

The Earl of *Carlisle* said, that the noble Duke had told them that history bore him out in saying that no revolutions had been effected in England except by Parliaments; and, in saying this, the noble Duke had displayed a great dislike to revolution. He was somewhat startled at this; and should be glad to know if the noble Duke included, in his historical reading, the Reformation of the Church of England, and the Revolution of 1688? He knew of no other great changes in England which could be properly called revolutions; and it was rather new to hear these events represented in Parliament as mischievous and calamitous. Let him entreat their Lordships to recollect that the eyes of the country were upon them; and, recollecting this, to abstain from language which could, by possibility, have no other tendency than that of increasing the irritation which already existed in a very high degree out of doors.

The Earl of *Winchilsea* could not suffer the unwarrantable attack which had been made upon a noble Duke near him to pass without notice. He could not allow without notice, that any noble Lord should say of that noble Duke, that he would aim at obtaining office by a sacrifice of principle. A more unjustifiable attack than that which had been made upon the noble Duke he had never heard. Though he differed from that noble person upon a great and memorable occasion, yet he gave him the fullest credit for perfect sincerity, and for an earnest wish to maintain the peace of the country. It was with much regret that he had now to acknowledge that he assisted in removing that noble Duke from office, and putting in place of him and his colleagues a Ministry deserving neither the confidence of Parliament, nor the respect of the country—a Ministry ready to sacrifice the dearest rights and interests of the country, and incur the hazard of overturning all the established institutions, from a too great facility in yielding to clamour and popular excitement, rather than listening to the dictates of good sense and sound policy. The noble and learned Lord upon the Woolsack had laid down a doctrine to which he (the Earl of Winchilsea) could not subscribe, namely—that to refuse those taxes which the necessities of the country and the honour of the Sovereign demanded, was no breach of the public peace; he would say it was treason, and if the Government did its duty, it would instantly prosecute the persons accused of such an offence. It would not do its duty either if it did not prosecute those who used libellous language. He hoped, however, that no intimidation would have any effect on the House. Slander was not confined to them, and, could he discover the slanderer to whom he had before alluded, he should run a great risk of breaking the peace. He could not allow the insinuation thrown out against the noble Duke to go uncontradicted while he was present—namely, that he would consent to take the reins of Government for the purpose that had been stated, and he rose to contradict it.

Lord *Holland* said, that he must protest against the interpretation which the noble Earl had put upon his observations. He had never made the least insinuation against the sincerity of the noble Duke. He had never said that he doubted the sincerity of the noble Duke—he had never doubted the noble Duke's sincerity—and still less had he ever said or thought that the noble Duke was a person who would be guilty of insincerity for the purpose of obtaining or retaining office. All he had said was, that he thought it very probable that they might witness the same issue to this as to the Catholic Question; and that the noble Duke, after changing his opinions with regard to Reform, as he had changed his opinions with regard to the Catholic Question, might be the person destined to carry a measure of Reform through Parliament, as he had carried through Parliament the measure of Catholic Emancipation. He had stated nothing but what was the fact; not only that the noble Duke, but other noble and right hon. individuals, on the occasion to which he alluded, had changed their opinions. The noble Duke, and other members of his Government, stated that their constitutional views were not changed on the Catholic Question, but they felt that the government of the country could not be conducted without conceding it. They plainly stated, that there was a difference of opinion between the Government and the House of Commons; and that they felt it their duty to yield to the opinion of the House of Commons, and the growing opinion of the country. It was said on all sides that their Lordships should do their duty; but he begged to remind them, that it formed a great part of their duty to consider the consequences which might arise from their actions. That was a part of the duty of all rational men.

Earl *Grey* assured their Lordships, that he did not rise with any view to protract this discussion, which, he considered, had already gone on too long; he rose in the first place to vindicate himself from the charge of having taken an opportunity, on the presentation of this petition, to make a second speech upon the Bill. He did not recollect, however, that in the observations which he had made he had said any thing which was not directly in reference to the petition, and the statement which was made on its presentation. He rose then chiefly, however, for the purpose of referring to one observation which fell from a noble Earl opposite (the Earl of Winchilsea). The noble Earl had, in addressing the House on this occasion, exhibited that degree of excited feeling and fervour which sometimes caused the noble Earl to proceed further than, he believed, the noble Earl intended. He did not mind the attack which the noble Earl made on his political conduct. He might be one of that set of men who were described by the noble Earl as not deserving the confidence of his Sovereign, although the observation was one which was rather stronger than a sense of courtesy warranted. The noble Earl had, however, if he were so minded, a right to say that he was unworthy of that confidence. The noble Earl might also complain, that the measure which had been introduced, though he considered it a wise and proper one, tended, in the noble Earl's opinion, to subvert the Constitution of the country. That was an opinion which he might controvert at the proper time. But when the noble Earl was pleased to assert, that he (Earl Grey) was one of those who would sacrifice the interests, the rights, and the safety of this country for the purpose of retaining his situation, or deferring to popular clamour, he was sure that their Lordships would at once say, that such an assertion was quite beyond the rules of parliamentary order. He hoped that it was a statement which the noble Earl, on cool reflection, would not persist in. And he now asked the noble Earl distinctly, whether he meant to impute to him that he was a person who would deliberately introduce a measure into Parliament, which he believed would subvert the rights and interests of the country, for any purpose whatever?

The Earl of Winchilsea and the Duke of Buckingham rose together, and the cries for Lord Winchilsea were very general, but

The Duke of *Buckingham* persisted in addressing the House, declaring that he rose on a point of order. He believed the noble Earl had been misunderstood. What he believed the noble Earl to have said was, that the noble Earl opposite, in pursuing this measure, was capable of sacrificing what he (the Earl of Winchilsea) considered to be the rights and interests of the country.

The Earl of *Winchilsea* said, as to the question put to him by the noble Earl, he did not impute to the noble Earl any feeling that could lead him to adopt that which he believed to be subversive of the rights and interests of the country. But this he would say, that the principles which were promulgated, that the excitement and public clamour which existed, and the course which the Government had taken, or rather the supporters of Government (for it was far from him, who felt the greatest respect for the noble Earl individually, to believe that he had urged on this clamour), were calculated to subvert the institutions of this country. He admired the consistency which had distinguished the whole of the noble Earl's political life, and, under other circumstances, such was the respect which he entertained for him, that he would have given him his humble support. He did not say, that the noble Earl would, for any purpose, sacrifice interests which he professed to cherish, but that the public clamour which was raised by the great body of those who approved of this measure, must operate against the interests of the country. He offered this explanation to the noble Earl, because he believed him to be a man who would never depart or swerve from that which he believed to be conducive to the general welfare of the country, although he thought that the noble Earl was very much mistaken in the consequences that would flow from the line of politics which he was now pursuing.

Earl *Grey* said, the noble Earl had an undoubted right to condemn his measures if he disliked them. As to the other point, he was satisfied with the noble Earl's explanation.

Petition to lie on the Table.

Lord Kenyon rose to move the Order of the Day for proceeding with the Reform Bill, when

Lord *Holland* observed, the understanding was, that they should proceed with petitions until they were exhausted. The noble Lord then proceeded to observe, that on a former evening a noble Baron (Lord Wharncliffe) had referred their Lordships to the tradesmen of Bond-street, as a body who could convince their Lordships that people of their class were opposed to Reform. Now certainly he had not availed himself of the opportunity of making inquiries in Bond-street since the noble Baron had mentioned the fact; but it so happened, that in proceeding to the House this day, he was stopped at the bottom of Bond-street, and requested to present a Petition in favour of the Reform Bill, signed by 101 inhabitants of that street. There were, he believed, about 200 householders in Bond-street; of these, 101 had signed the petition, and he was told, that if there had been time, the whole of the inhabitants of Bond-street would have signed it. The petitioners wished to get rid of the imputation that had been cast upon them, as to their being lukewarm, in comparison with the other inhabitants of London, on the subject of Reform. Many of those by whom the petition was signed were persons of wealth and consideration.

Lord *Wharncliffe* said, that when he spoke of Bond-street, he alluded to that place merely in exemplification of a general principle. His proposition was, that if an inquiry were made amongst the tradesmen in the different streets of London and Westminster, it would be found that the general opinion amongst them was, that they entertained a fear of, and a shrinking from, the enactments of this Bill.

Lord *Holland:* All he would say was, that this petition stated exactly the contrary; and if the noble Lord would only mention the particular streets in which he wished this inquiry to be made, he doubted not that he should be able to bring down to-morrow a petition in favour of the Bill from every one of them.

The Earl of *Mulgrave* expressed his opinion, that, on inquiry, an express contradiction would be given to the assertion, that the tradesmen of the metropolis were growing cool with respect to Reform

Lord *Wharncliffe* had never said, that they had cooled on the subject of Reform, but that they shrank from the enactments of this Bill.

Lord *Kenyon* again expressed a wish that the Order of the Day should be proceeded with.

The Marquis of *Westminster* said, the question at present was, that the petition from the inhabitants of Bond-street be received, and he would take that opportunity to make a few observations. He had, on a former evening, presented a petition from Westminster, which a noble Baron asserted was not respectably signed, or that it was a meagre petition. That, however, was not the fact. If, as the noble Baron had asserted, the tradesmen of Bond-street, St. James's-street, &c., were hostile to this Bill, what prevented them from attending the meetings at which petitions were agreed to, and opposing them? If what the noble Baron had said were correct, those who were opposed to Reform would, in that case, have overpowered their opponents and gained a complete victory. Instead of petitions for Reform, were the noble Baron's statement accurate, they would have been all the other way.

Petition to lie on the Table.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — SECOND READING — ADJOURNED DEBATE—THIRD DAY. Lord Kenyon moved the Order of the Day for the Adjourned Debate on the Reform Bill.

On the Order being read, Lords Dudley and Goderich rose at the same moment, but after considerable confusion the latter noble Lord gave way, and

The Earl of *Dudley* then addressed the House. His Lordship was understood to state, that in presenting himself on this occasion he did not hope to be able to add any force to the arguments adduced by the noble Lords who had already spoken. He was only anxious to show that he was not insensible to the blessings which he, in common with the country at large, had enjoyed under the existing Constitution; and he was still more anxious to address their Lordships, lest it should be supposed that he was unwilling to take the full share of the odium which attached to every one who opposed this measure. Unless the House was firm and resolved in rejecting the measure now under its consideration, he could not help feeling that perhaps this was one of the last times when he, or any one, would have an opportunity of addressing a Parliament collected on the principles on which their ancestors founded the present Parliament, and in the full enjoyment of all the rights which the Constitution now gave to a Member of Parliament. But before he said anything as to the Bill itself, he begged to call their Lordships' attention to the circumstances under which it had appeared, and which seemed to him particularly calculated to excite suspicion and disapprobation. The present Ministry came into power upon the sudden and unexpected fall of the government of the noble Duke. It consisted of persons who, however individually entitled to consideration, had not acted together long enough, or with sufficient harmony, to have conferred and agreed upon all the various and important articles of an entirely new policy. On the contrary, they were known, up to a very recent period, to differ upon some great points—and more particularly upon that on which, at the end of a few weeks after their accession to office, they promulgated an unanimous and most astonishing decision, so that it is not uncharitable to suppose that this coalition was owing to personal convenience rather than to any sincere agreement; and their collective judgment is, therefore, of no value, or, at least, only of the value that belongs to the opinion of the majority of the Cabinet, which had prevailed upon the minority to adopt a creed directly contrary to that which they had always held. Thus united, and thus prepared, these Gentlemen proceeded to the discharge of their functions, and thought it their duty to propose to the King, their master, and to Parliament, several measures, which, if carried into effect, would make an entire change in the Government and Constitution of the country, which had for centuries prospered under their influence. He could not but deprecate the impetuous and misguided conduct of the present advisers of the Crown, who, when they had scarcely taken into their hands the command of the reins of the Government of the country, had applied themselves to effect a change in every branch of its institutions, and that without being able to shew to the House the existence of its necessity or expedience. They had attempted a change in financial government, a change in the law, and, though last, not least in his opinion, they had attempted a change in the constitution of the other House of Parliament—a change, too, the effect of which would be to give supremacy to the worst power that could be exercised by any state—he meant a democratical authority. The measure of his Majesty's Ministers would, unless their Lordships did their duty fearlessly and conscientiously to their country and themselves, be attended with this consequence—that the House of Commons would be, instead of what it then was, converted into a democratic assembly. What, he would ask, were their Lordships called upon to do? They were required, and that in no persuasive tone, but in an authoritative manner, to stigmatize all the legislative acts of their forefathers, and that, too, with less notice than a county had been ever called upon to cut a canal, and this too at the bidding of persons, some of whom had always been hostile to all reform, and others who had scarcely had time to learn the common routine of their officers. It was not in human nature to order wisely so many great things thus suddenly and without preparation. He could not confide in the authors of these measures, unless he also believed them to be inspired. Never was so much proposed by mortal man in so short a time and upon such imperfect authority. Indeed, this measure had been promulgated more like a chapter in the Koran than any human institution, and if their Lordships might judge by the language of the journals under the control of the Ministers, they must suppose that they meant also to propagate it like the Koran—the book in one hand, and the sword in the other. When he considered the extent of this business, and the havoc that was to be made among innumerable charters, rights, and privileges, how many usages, habits, and feelings, were to be trampled upon—not a hundredth part of which could, till lately, have been touched, without exciting the most vehement and passionate resistance, —no one who saw them all, at a few weeks notice, brought to the very verge of destruction, but must be amazed at this sudden mutability introduced into the affairs of a nation heretofore so little given to change. He did not mean to speak with disparagement of the persons that proposed the measure,—men to whose talents and accomplishments an humble individual like himself must look up with the respect due to superior qualifications; but it was not with humble individuals, nor with ordinary occasions, that they were to be compared, but with the stupendous magnitude of what they proposed, and when he considered that this Bill proposed to give an entirely new Constitution to the country—when he considered that by it our institutions were to be changed, and the privileges of their Lordships placed in jeopardy, he thought that some higher authority should be adduced, and some more masterly hands should be employed in an undertaking of so much magnitude, than the authority of those persons who now introduced a measure, which, had it been broached some years back by any other party in the House, would have been scouted by them from their Lordships presence. What had been the statesman-like qualities of the present advisers of the Crown who had introduced the measure to their Lordships' notice? Had they gained character by their financial arrangements at home, or by their foreign policy abroad, sufficient to entitle them to propose such a sweeping measure as that which occupied their Lordships' attention? He would say they had not. In every country the management of the revenue had been considered as a matter of the greatest and most paramount importance, and the success of a Ministry was estimated in proportion as its management of that particular branch had given satisfaction to the people. It had always been necessary for the Government of this country to maintain, on that subject, the perfect confidence of Parliament. Now, what was the case with the present Ministers of the Crown? Not only had they failed in engaging the confidence of Parliament, but they had proved themselves incapable of conducting the financial affairs of the country. It was not merely that they had failed in some measures of finance, but they had actually succeeded in none. Was it becoming then in the Ministers who could not succeed in the adjustment of a single tax, from the duty upon cotton to that upon timber, to lay their rash hands upon the most important institutions of the country, and attempt to make alterations, which, if they were to be made at all, required the greatest wisdom, caution, and abilities? He would not say anything of those parts of the foreign affairs of the country which were still said to be in an unsettled state. But some things respecting them were well known. It was well known that his Majesty's Ministers had formed alliance with our old enemies, and now were at variance with our old friends. It was well known that they had consented to the demolition of those fortresses which had before been looked upon as the keys of Europe, and had been established at an expense of many millions sterling to this country. That was a result which no one would ever have looked for as the determination of an amicable negotiation. It was rather like the result of a war, in which England had suffered total defeat on sea and land, and her treasury had been exhausted of every guinea, and in which the victories of a French general had eclipsed the glories, and robbed us of the fruits of Waterloo. Was it not an excess of confidence, and a dangerous experiment, to intrust such men with the remodelling of our Constitution, more particularly since they had shewn themselves desirous of converting our limited Monarchy into a purely democratic Government? Was it not natural, he asked, that the failures which Ministers had already experienced should induce their Lordships to pause before they reposed an implicit confidence in their present subversive scheme? If there was nothing in their conduct to induce confidence, why should it be generally reposed in them, as to this Bill, for its effect would be to prompt them to further changes in the Constitution? It was material to recollect that this was not a mere question of Parliamentary Reform, but a question as to a totally new Constitution, and an entire change in the most important branch of the State. Were they not, therefore, bound to consider whether the measure which they were called upon to adopt was a safe and salutary one? This Bill proceeded upon a strange and extravagant proposition, which he had no doubt would in a little time be received with scorn by all—namely, that the country had never heretofore had a good Government, and that the people had always been deprived of their rights. If there was any truth in this position the case resolved itself into this, that since the period of the Revolution our Constitution had been bad, for he denied that there had been any change in it since that time. It was the same in substance and the same in principle which then received the sanction of our ancestors, and which they, from long experience, deemed the most expedient that could be adopted. There was, at the period of the Revolution, as now, an influence of the Crown, and of the great proprietors, and the same nomination boroughs. If there were any difference, it is, that the influence of the Crown and of the great proprietors has become less, and that of the people greater. It was greater on account of the greater number of persons that took an active influence in public affairs; on account of the greater publicity of the proceedings of both Houses of Parliament; and, most of all, owing to the increased activity and influence of the press,—a new power in the State, and always the sure ally of the popular party. All those great party combinations that used to give law to Parliament, and out of the pale of which hardly any active political power was allowed to exist, were now broken up, and every variety of interest and opinion had found a ready way to the House of Commons; the whole tendency of that assembly for many years had been to reflect more directly and more strongly the will of the people. Every alteration that had taken place from time or circumstances, had been of a nature to render Reform less rather than more necessary. The two principal arguments that had been adduced in support of it were—first, right; and, secondly, expediency. Now as to the argument of right, it was, he conceived, ridiculous to say that a man who happened to rent a tenement of 10*l.* annual value had more claim to franchise than a man who rented a house of half that money. That was his opinion, considering the question on the abstract principle of right. The Bill, in fact, must stand upon its expediency—upon the good that it does, or the evil that it is calculated to remedy. In judging of its merits, we must, therefore, consider what are those evils—evils for which it is desirable to find a cure? He knew of but one, and that was the distress arising from the excess of the population over the means of employment and of subsistence. This, no doubt, was a great evil, and one as to the nature and remedy of which great difference of opinion existed. Some persons utterly desponded—others thought that some remedy was within the reach of legislation—some proposed a return to paper currency — others talked very plausibly of emigration—but even among the most sanguine, was there any one who believed that there was some healing remedy that a reformed House of Commons might discover and adopt, which an assembly constituted like the present, could neither see nor apply. Was it suppposed that four county Members, chosen by the householders mixed with the freeholders, could overcome some difficulty which two Members chosen by the freeholders only could not surmount—or that some great secrets of public happiness might be discovered by the philosophers of Birmingham and the statesmen of Sheffield, that had entirely escaped the mock representatives of Gatton and Old Sarum? Reform would not contribute, in the slightest degree to relieve distress, but distress was the parent of the desire for Reform. The boroughmongering Peers and the opponents of Reform were blamed as the authors of the evils of the country; but if these evils consisted of the single misfortune of an excess of population, the Constitution could not be blamed for it? The boroughmongers might, with equal justice, be blamed for the constant occurrence of bad weather. They did not generate the evil by generating the excess of population. He deeply regretted the nature of the inducements held out by the supporters of Reform to persuade the people to give their assent to the change. They were told that the profits of trade would be increased, and that bread would be cheaper, if Reform was obtained. These were the notions which were put into the heads of the people by Reformers; but it was needless to say, that no such consequences could attend the measure. When such inducements were held out, it was not to be wondered at that a strong feeling existed through the labouring classes in favour of the change; but was this to induce their Lordships, convinced, as they must be, that the feeling had its origin in misrepresentation, to give their assent to a measure, the effects of which would be extremely detrimental to their privileges? The mass of the people laboured at that moment, under passion and prejudice, which incapacitated them from discerning what was for their own interests. They were completely in the situation of a man who was persuaded, when in a state of intoxication to sign a deed which granted away his property. He admitted that the grounds which he had stated as influencing a large mass of the Reformers were not those on which the higher classes of Reformers based their support to the measure; at least they disclaimed them, and he was bound to believe their sincerity in doing so; but he would maintain that those inducements influenced ninety-nine out of a hundred of the supporters of the measure. The higher class of Reformers, he understood, grounded their support on principles of logic and philosophy; but these were things of which the larger mass of the people knew nothing, and indeed, he could not see that either logic or philosophy had any thing to do with a measure which professed for its object a reformation of existing abuses. He, therefore, maintained, that if the Bill were carried, it would be carried by the clamour of a people incapable of judging what was best for their advantage. Now, with respect to the consequences of the measure, it was not to be expected that he could anticipate them all, but there were some to which it was impossible he could shut his eyes. First of all, he asserted, that it would be utterly impossible to carry on the government of the country. He did not mean to say, that the country would have no government, but that it would be impossible to carry on any steady system of government. The Ministers were about to undertake a labour like the task imposed upon the Israelites, of making bricks without straw. They were taking upon themselves to govern, without the means of governing, and to manage a body exulting in the newly-acquired possession of the whole power of the State, with curtailed and scanty means—means which were scarcely sufficient to carry on the business of the country in less turbulent and unruly times. Let their Lordships not deceive themselves. The country was on the eve of becoming a republic. He did not deny, that such a form of government had sometimes been carried on by wise men in a manner to render the State happy at home and respected abroad; but this measure would lead to a democracy, the worst form of government, which would abolish the privileges of the Monarchy and the Peerage. He knew it was the theory of our Constitution that the two Houses of Parliament—the one possessing its privileges by inheritance, and the other elected by the people—were supposed to be equal in legislative power. That was the theory, but in practice, even with respect to the present House of Commons, it was not true. If that branch of the Legislature were engaged in a struggle with the two others, it would prove too hard for both together. It was only by the abuses of the Constitution, as they were called, that the due balance was maintained, and the evils which would arise from the superiority of the popular branch of the Legislature prevented, or at least mitigated. It was only because the Crown and the House of Lords had an influence in that of the Commons, which was wholly unacknowledged by the theory of the Constitution, that the Constitution had been maintained. It would not be proper for him to enter into all the details of the measure at present; but he would ask first—was the mode of election proposed by this Bill, or was it not, such that no man could obtain a place in the House of Commons without pledging himself to certain principles? And, in the next place, was the House of Commons to be so constituted, that, if an election were to take place amidst such strong feelings and opinions—no matter how absurd they might be—all who opposed them would certainly be driven from office and power; and be deprived of the means of serving their country? Before they adopted such a measure, they should consider, not only what they might gain, but what they might lose; and on this subject, he thought he had a right to complain of the language and sentiments which had been expressed. The supporters of the measure, not content with saying that the Constitution should be changed, represented the whole system as so utterly worthless, that no person of honesty could desire its continuance. He thought it would be more fair to say, that however faulty it might be, still, it had lasted so long, and through such good times, that we ought not to give it up, without considering what we were to get in lieu of it. Instead of this, we were told, that, from the beginning, it was tainted with corruption in all its parts. He maintained, that the combination of the different branches of the Constitution, blended as they were harmoniously together, had, at all periods of its existence, produced the happiest effects to the country. During that period, which had been alluded to by some, only for the purpose of deploring the imperfections of our system, we had risen to an enviable celebrity in arts and in arms; and though it served in this day as a common place for descanting upon our ignorance and our humiliation as a nation, it was the frequent theme of gratulation to statesmen equal in wisdom to any of antecedent times, and superior in eloquence to any who had been recorded in modern, possibly in ancient times. It was a period remarkable in our history for our advancement in the scale of nations. It was the period of continued brightness which intervened between the triumphs of La Hogue and Trafalgar, and between the signal victories of Blenheim and Waterloo. Surely, in retracing the progress of our aggrandisement through an era of so much brilliancy, it was a venial fault if we looked back to it with sentiments of gratitude to a kind and fostering Providence, even if, in the next hundred years, there were to occur days of equal prosperity, and triumphs equally glorious. But these recollections were to be stifled or obliterated by the intimidating picture drawn of the dangers with which they, as the hereditary Peerage of the country were environed, if they refused to pass this Bill through the House; and that, in such an event, they were sure to draw down on their devoted heads, possibly in the loss of life, but at least in the loss of their properties, the dread indignation and vengeance of the excited people. Such were the representations of the supporters of this bold project of his Majesty's Government; but he would admit, it was more than possible that resistance to this innovation might be attended with danger. To whom, however, he would ask, in the event of that danger arising, ought it to be attributed? To the excited people? Certainly not. To whom then? To his Majesty's Ministers, who had kindled, and fed with continued fuel, that excitement by which they were now threatened to be consumed. His apprehensions were totally of another kind. He would direct their attention to dangers also; but they were those of concession; dangers which he concurred in thinking might lead to the loss of all they held personally dear, or that was valuable in the State. What! were their Lordships, as a great estate in the realm, to be content to sit there and register in silence those acts of that other estate in the realm which was to benefit by the concessions thus wrung from the Peerage by intimidation? Or was it not high time to feel alarm for our venerable institutions when this measure was found to be countenanced and approved of by all who had hitherto looked with undisguised hostility on the present accumulation of property in individuals, the laws of primogeniture, the privileges of their Lordships' House, and the greater portion of our valuable institutions in Church and State? He called on them now to make their stand, whilst that instrument of self-destruction was lying on their Table; nor shrink from their duty nor quail in spirit before the insolent dictation and domineering aggression of those who were the avowed enemies of our institutions and reckless advocates of all innovation. Were they to allow themselves to be intimidated by an hostility which had kindled against them, not in consequence of any aggression on their part, but because they were unwilling to incur the risk of ruin to themselves and revolution in the State? Their Lordships' opposition to it should not be circumscribed by the mere consideration that the regulations of the Bill were fraught with irremediable loss to those who were now within reach of his voice, but they should be the firmer in their resistance to it, because it had been attempted to be forced on them in the crisis of excitement; so that they must adopt or reject it with precipitation, and without being allowed the chance of appealing from the demands of popular impatience to the public when under the influence of a calmer spirit. The object of the King's Ministers was, to precipitate their Lordships' adoption of the measure. They dreaded, and justly too, the probable return of the country to a state of peace, and to habits suitable to her true interests and her old character. They were little disposed to improve the opportunity now afforded them of attempting to renovate the Constitution by well-founded and judicious improvements, which might insure its continuance for centuries to come. Their Lordships were not to be swayed or influenced by the motives of any Administration, in contradiction to a clear sense of the high duties of their station in the realm. If they, in this important conjuncture, did that which was right and their bounden duty, they would in return possess not only the reward of a self-approving consciousness, but be entitled to be recognized as the true friends of order and liberty by future ages, and draw down on their memory the gratitude of their country.

The Marquis of *Lansdown* assured their Lordships, that if they had extended to him their attention when he rose to address the House last night, he would not have abused that indulgence by any lengthened trespass on their time. The delay had given him the opportunity of hearing, though he was afraid very imperfectly, the speech of his noble friend who had addressed himself to the principle of the Bill. He was not about to follow his noble friend into the very wide and excursive range he had taken, but before he offered any observations as to his general argument, he would say a few words on some of the preliminary remarks which his noble friend had made to embrace the whole range of our foreign and domestic policy, with the view of condemning both. He would not object to his noble friend for finding fault with that policy, but he could not allow him to rest any part of his opposition to this Bill on the alleged failure of financial or other measures brought forward by the present Government, for in that assertion his noble friend had been mistaken; and if his noble friend had only studied what passed in that House, or had he attended it personally, which it was well known his noble friend did not always, he would have heard, that measures had been introduced on most important subjects, and, so far from being failures, many of these had passed with his approbation, as far as that could be inferred from his not having objected to them by his speech or by vote. The measures for making some important and valuable changes in the law had been part of these, and to those his noble friend had not objected.

The Earl of *Dudley* said, he had not alluded to any measures for altering the law.

The Marquis of *Lansdown* begged his noble friend's pardon. He had understood him to allude to all the measures which had been introduced by Government, and, amongst others, to changes made in the law, all of which his noble friend had said were failures. His noble friend's words, he believed were, not that the Ministers had failed in one measure, but that they had succeeded in none. Now one of these was the alteration with respect to the Bankruptcy Courts, to which his noble friend had never made any objection in its progress through that House. Had not his noble friend now for the first time stated his objection to that measure?

The Earl of *Dudley* begged to say to his noble friend, that he had made no such objection. He had confined himself to the financial measures introduced by the present Government.

The Marquis of *Lansdown* said, that his noble friend had stated, that as soon as the Government was formed there was evinced a disposition to change every thing. Now it did so happen, that many of the measures introduced to effect those changes had passed through that House, and his noble friend had not given to any of them the benefit of his great talents. He had not felt it necessary to oppose them, though they formed part of that system to which his noble friend had now stated his objection. His noble friend had stated that all the financial measures of the present Government had failed, and been withdrawn. Was his noble friend in the House when the bill for doing away with the coal-duties passed—was he in the House when the wine-duties bill was discussed? Was he present when the bill relating to the cotton-trade had passed? Did he know that the alterations which he described as failures had been sanctioned by Parliament, and had already been productive of the greatest benefit to the cotton-trade of Manchester, and was imparting life and vigour to that recently introduced into the north of Ireland? These measures had all passed that House, and yet his noble friend had not felt it necessary to offer a single objection to any of them until now that he came forward with a charge that they—for they were included in those which he described as failures—had been introduced and abandoned. His noble friend had told them, that good measures were like good wine, the better for being long kept. The same could not always be said of good speeches, for these might be kept too long, as that of his noble friend had proved. While his noble friend was industriously employed in his closet, these things to which he now objected were passed with unanimity by their Lordships. His noble friend, with that wit which no one admired more than he did, had spoken with a sneer at the philosophers of Birmingham who might be returned under this Bill, but who were not so well qualified to attend the interests of the public as the members for Gatton and Old Sarum; but if his memory did not misgive him, his noble friend had himself attempted to generate one of those philosophers, and had failed, for he had voted for the transfer of the franchise from East Retford to Birmingham, in order to give the people of that place the opportunity of electing one of those philosophers, who, there was good reason for believing, would be found as capable of attending to their interests as men whom they did not know, and with whom they had no connexion whatever. His noble friend had told them, that if this Bill passed, public men would find great difficulty in getting into Parliament if they were opposed in any thing to popular feeling, and he illustrated it by stating, that in the coalition between Mr. Fox and Lord North, which he said was more unpopular than the Anti-reformers at present, that difficulty was felt, and that Mr. Fox was nearly excluded; but his noble friend, who was a very accurate historian in other matters, did not seem to have read history down to the coalition in 1782. Mr. Fox was elected in that year for the populous city of Westminster; thus showing that the people were not disposed to forget the gratitude they owed to public men, nor to overlook the claims of talent and character. He would not, as he had stated, then follow the arguments of his noble friend, but would rather refer to those arguments which had been used in the earlier part of the debate by the noble Lords opposed to it. Of that part of the arguments of those noble Lords which did apply to the principles of the Bill, the far greater portion was in support of them rather than against them. He had listened with great attention to the able speech of the noble Earl (Harrowby)—certainly one of the ablest which he had ever heard him deliver in that House; and he could assure him, that if the noble Earl had not told them that he was exerting all his ingenuity to find some good ground to vote against the Bill, he should have expected from part of his arguments that he intended to vote in favour of it. The noble Earl had said, that if he were to collect all the speeches and pamphlets that had been delivered and written against Reform, by those who now supported this Bill, he could make one of the most eloquent speeches ever delivered on the subject. Now he (the noble Marquis) would say, that if he were to select and contrast the omissions, concessions, and he might, he hoped, without offence, say inconsistencies, of those noble Lords who had opposed the Bill on the opposite side since the commencement of this debate, they would furnish no slight argument in favour of the principle of Reform, and of much of the great principle of this Bill; for it certainly did happen, that there was not one of those noble Lords, in contending that their Lordships should not change because public opinion had changed, who had not, in fact, shown, though in different degrees, that their opinions had actually undergone no slight degree of change on this subject. He felt, undoubtedly, that in discussing this question, he laboured under the difficulty of agreeing with those noble Lords in all the premises which had been laid down by them in stating the reasons for the opposition which they gave to the Bill. He would state frankly and without disguise, that there was no opinion which he held more strongly, than that all political change was an evil in itself, and, being an evil in itself, it was more especially so in a form of society so complicated and so far advanced in civilization as ours. He felt with the noble Lords opposite, that the condition of no society could be safe, in which property did not exercise, if not a commanding, at least a great influence upon the Government. He admitted, with them, that the existing relations between man and man, between the governors and the governed, which have descended in any country from remote antiquity, are more easily retained than the relations which may rise up under new institutions, though much inferior, perhaps, to the old ones, but not so interwoven with the habits of those who live under them. Admitting these principles, closing with these premises, there was still one inference drawn from them by the noble Lords opposite with which he could not close, and which he must deny—namely, that it had been at all times the character of the institutions and of the Constitution of this country, to oppose a rigid and stubborn resistance to all propositions of improvement in our usages and laws. He had read with the greatest care and attention the history of our institutions. If he looked to the Statute-book, he was obliged to ask himself, what were the laws attendant on that first great change of public opinion so strikingly developed in this country by the Reformation—what were the laws which defined, and limited, and restricted the Royal prerogative, under the princes of the house of Stuart — what were the laws which altered the succession to the Throne, after the Revolution, and secured the descent of the Crown to the house of Hanover—what were the laws which sanctioned and ratified the Union between England and Scotland—and still more, what were the laws which sanctioned and ratified the Union between England and Ireland—what were the laws, inferior to none in force and violence, but equal to all that he had already mentioned in policy, by which three-fifths of the voters of Ireland were recently disfranchised—if he looked at the Statute-book, he was obliged, he repeated, to ask himself, what were all these laws but so many cases in which the old institutions of the country were made to bend to a great, he would even say an immense political expediency, and in which the changes introduced rested upon nothing else save that expediency for their defence and justification. He said, that so far from that rigid and stubborn adherence to existing institutions, which never varied under a combination of circumstances very different from those which prevailed in former times, being a leading feature and a distinguishing characteristic in our Constitution, the real feature of the Constitution, its most genuine characteristic, had been, at all times and in all seasons, to absorb into itself all the political strength of the country, consisting—as that strength always did and always must consist—of wealth and of knowledge—of wealth diffused, and of knowledge diffused, among the different classes of the community. He was glad to learn from the speech with which the noble Duke had closed the debate of last night, that the noble Duke fully concurred in the principles which he (the Marquis of Lansdown) had taken the liberty of laying down to their Lordships on a former occasion. The noble Duke and himself evidently agreed in the principles they embraced, though they differed somewhat in the application of those principles. The noble Duke had represented him to have said, that the strength of the country consisted of its wealth and its learning. He believed that he had not used the word "learning," he believed that he had said "knowledge." If he had said "learning," he did not mean by it academical erudition, or that pedantic acquisition of petty information which sometimes was obtained by students in their closets. He had been speaking of that knowledge which in its diffusion was power, and of that wealth which, not in accumulated masses, but generally distributed, enabled men to judge of what was most expedient to their own interests. The real characteristic of the Constitution was such as he had described; and if it had not possessed that characteristic of absorbing in itself the combined strength of the community, and of bending to the changes of opinion which took place in the country from time to time, he verily believed that their Lordships would have found, in looking to the various laws to which he had just referred, that if they had not been passed, those institutions on which they now placed so much value would, instead of descending magnificently down the stream of time, as they had descended to us, have been left long before this a mere wreck upon the shore. He would further call the attention of their Lordships to some of those observations upon this Bill which had been offered to their Lordships last night by the noble Duke who then terminated the debate. He had heard, certainly with great astonishment, the opinion which the noble Duke had expressed regarding the declaration—and with all deference to the noble Duke, he must style it the unfortunate declaration—which he had made against all Reform on the first or second night of the last Session of Parliament. He had heard the explanation which the noble Duke gave of that declaration last night, when he said that he made it as a Minister of the Crown, not as a Peer of Parliament. The noble Duke had told them that as a Minister of the King, whatever his opinions might be as an individual—and the noble Duke had not informed the House what his opinions were, neither had he (the Marquis of Lansdown) any right to complain of the noble Duke for not giving it that information—the noble Duke, he repeated, had told them that, as a Minister of the King, he felt himself debarred from proposing any project of Parliamentary Reform; or, indeed, from any other course, save that of preserving the Constitution of the country. He must say, that from the noble Duke he should have expected a policy quite the reverse of this; and until he heard the speech of the noble Duke, he thought that, in the peculiar situation in which Ministers were placed, they would have had the noble Duke's high authority to support them in the line of conduct which they thought it right to follow. Never, before this occasion, had he given his support to any proposition for a Reform in Parliament. He confessed fairly, and he trusted that their Lordships would believe him when he stated, that no popular clamour, no intimidation, as it was styled, from without, would have induced him now to come to the opinion that Reform was needed, if he had not been conscientiously convinced of its correctness—he confessed fairly, that though he had not been blind to the abuses which had appeared from time to time in our Representative system, he had thought it a safer course to wait until he saw a recommendation coming from the Ministers of the Crown to make some change in that system—a recommendation which would give facilities to the alterations proposed to be made, and would enable the country to know where those alteration were leading it. This was the ground upon which he had formerly abstained from supporting, and upon which he now came forward to support, the cause of Parliamentary Reform. He thought that he had the high authority of the noble Duke to justify the course which he (the Marquis of Lansdown) was then pursuing. For what was it that the noble Duke said, when he came forward to propose his immortal measure for the emancipation of his Catholic fellow-subjects? The noble Duke had said, that he felt himself debarred as a private individual from supporting that measure, because it was not brought forward as a measure which had the approbation of the King's Government. He mentioned this, not from any invidious feeling to the noble Duke, but because he thought that the language which the noble Duke then used was marked by his usual prudence, discretion, and good sense. He recollected that the noble Duke had told their Lordships on one occasion, when he was asked by the late Lord Castlereagh to support the question of Emancipation, that he had replied by asking that noble Lord whether the measure which he was about to introduce into Parliament had the sanction of the King's Government, and that, when he was told that it had not, he had refused to support it until it was introduced with that sanction. The tables, however, were to be turned in the case of Reform. In the case of Catholic Emancipation, as soon as the Royal sanction was obtained to the introduction of that measure into Parliament, the only thing which Ministers had to do, according to the statement of the noble Duke, was to bring it forward, and to pass it with all speed. In the case of Reform, however, that course which the noble Duke had recommended so strongly during the discussion on the Catholic Question, was the only course which Ministers ought not to follow. He hoped that their Lordships would allow him to state, that this intimation on the part of the noble Duke, of a possible change of opinion in favour of Parliamentary Reform, placed the noble Duke in the list of those noble Peers who had already avowed themselves the converts to a certain degree of Reform; and that list—strange to say—included the name of every Peer who had yet spoken against this Bill, with the exception of a noble friend of his (the Earl of Mansfield); for every one of those noble Lords—with great caution indeed—with considerable hesitation—with a disposition sometimes to go backward, and sometimes to go forwards, not defining very clearly what they meant, but blundering in the dark about a meaning—had given the House, in the progress of their speeches, the satisfaction of seeing that they were labouring under the melancholy impression that there were strong reasons for moving, and that they could not stand where they now were. They were, therefore, with one solitary exception, all favourable to some plan of Reform. Now, if this plan of Reform, which existed in their eyes, whatever shape it might assume—

> "If shape that might be called that shape had none
> Distinguishable in member, joint, or limb,
> Or substance might be called, that shadow seemed,
> For each seemed either."

If this plan of Reform which existed in the recesses of their minds, and in the secrets of their counsels, had indeed either shape or substance, the people of England had a right to complain, that six months had elapsed since the present Bill had been submitted to their notice, and that still no information was communicated to them of that nostrum which was to act as the antidote to the bane which Ministers had been said to have forced upon the country, and to have imperiously required their Lordships to adopt [*hear!*]. He was glad, that the noble Marquis, (the Marquis of Londonderry) cried out "hear" so lustily, for perhaps the noble Marquis would come forward that evening as a

Parliamentary Reformer, and tell them what his nostrum was. With all deference to the noble Marquis, he would venture to tell him once more, that the people of England had a right to complain, that although the necessity for an efficient Reform had been stated at an early period of the last session—although the dissolution of Parliament had taken place for the express purpose of ascertaining the opinions of the people as to the existence of that necessity—although the present Bill, after long and mature discussion, had passed through the House of Commons—and although it had now arrived at its second stage in the House of Peers—they were still left without the means of knowing what remedy the noble Marquis and his friends had in store for them, and what that safety was, which existed in his plan, or in the plan of his noble associates, and yet could not be found in that of the Ministry. "All that we can learn at present is," said the noble Marquis, "that the noble Lords opposite have made some progress in their plan, and that there are certain things in it which, under certain circumstances, and at certain times, might be for the benefit of the people of England, though they will not vouchsafe to tell us what those things are. So that, when we have embarked on this voyage, not unconscious of the dangers and perils to which we are exposed, and still less unconscious of the formidable degree to which those dangers and those perils will increase by delay, it turns out, that all the noble Lords opposite, save one, have been dropping down with us to St. Helen's, and are lying at single anchor to join with us in such voyage, if it shall appear expedient. I must say, that when it is imputed to us, that my noble friend near me is acting the part of an impostor and an empiric, and is dealing out to the public noxious wares instead of wholesome commodities, it is rather hard, that those who think themselves by prescription the only real State physicians—admitting, as they do, that they see the disorder and are acquainted with the remedy—should keep their great science to themselves, and that the public should still be obliged, in want of a regular remedy, to put up with the quackery of my noble friend because nothing else can be obtained. There have been a great many differences, and of no trifling nature, among all the noble Lords who have yet spoken of a remedy. There has been a great desire amongst them all to find something to propose for your Lordships' consideration, and every one of them, without exception, has stated some concession he was willing to grant. Nay, even my noble friend (the Earl of Mansfield), who spoke so vigorously against every species of Reform, was at last so moved by the palpable necessity for some change, as to give some small contribution to the new Reform stock, to which all the noble Lords at the other side of the House were now subscribing. My noble friend would do something to diminish bribery at elections. That is the only concession of my noble friend.

The Earl of *Mansfield:* I offered no opinion at all on the subject of bribery.

The Marquis of *Lansdown:* I beg my noble friend's pardon. I am sorry that I committed him hastily to the opinion, that bribery is inexpedient. My noble friend then will do nothing; but that is not the case with the other noble Lords near him. They have all a remedy for the abuses of our Representative system, but their remedies differ widely from each other. My noble friend, the noble Baron (Lord Wharncliffe) who followed my noble friend at the head of the Treasury in this debate, in a speech replete with good sense and ability, fairly stated to your Lordships, that he was ready to concede the whole principle of the Scotch Reform Bill. The debate, however, had gone but very little further, when the noble Duke travelled out of his course to discuss the Representation of Scotland, and told us, that that Representation was consonant to a perfect state of society, and that under it Scotland had obtained great prosperity.

The Duke of *Wellington* declared, that he had not said a word of the kind. What he had said was this, that no country was better governed than Scotland, or had advanced more in commerce, intelligence, and prosperity, than that country within the last sixty or seventy years.

The Marquis of *Lansdown:* Exactly so; but when the noble Duke said, that Scotland was the best governed country in the world, he used it as an argument, that the Representation of Scotland was the best in the world, and that it was the cause of that good government, and of that prosperity which had followed in the train of that good government. All that I can state on this subject is, that in all the observations which the noble Duke has made regarding the prosperity of Scotland, and its rapid advances in wealth and intelligence, I fully concur. No one can witness that improving country without agreeing, that it presents a striking picture of civilization and refinement. There is its capital, which by the industry, and talents, and acute investigation of its inhabitants, has become the centre of northern civilization, and has justly acquired the title of Modern Athens. There is Glasgow, which has covered the banks of the Clyde with its steam-boats, and the waves of the Atlantic with its ships. [Lord *Ellenborough* reminded the noble Marquis, that he was a member of that Government which had endeavoured to impose a tax on steam-engines and on steam-ships.] The noble Baron is offering us a supplement to the joke which his noble friend near him endeavoured to cut, though with most miserable success, on our measures of finance. I could say something on the measures of finance of the noble Baron and his friends, but, in mercy to them, and to your Lordships, who have already been fatigued sufficiently by the introduction of topics foreign to this debate, I abstain. I was observing, before I met with the interruption of the noble Baron, that there was Glasgow, which covered the Clyde with its steam-boats, and the Atlantic with its ships, and I was proceeding to notice what I considered to be the other signs of the prosperity of Scotland. But who is there who will tell me, that all this prosperity is in consequence of the Superiorities of Scotland? The only superiority which I can discover there, is the superiority of education, and the superiority, too, of unrepresented education; that superiority which we wish to introduce into the Legislature, and which the noble Duke would exclude for ever, by adhering rigidly and stubbornly to the wisdom of our ancestors. One great feature of the present Bill is, that it will include in the constituency of the country, its knowledge as well as its power—that it will bring within the pale of the Constitution, those who ought never to have been excluded from it, and that it will connect them with the Representation of the country by the closest and most indissoluble ties. The noble Duke has also expressed his alarm at the amount of Representation which is to be extended to other places which have hitherto been unrepresented; and, in order to deter us from such a measure, has stated instances of the abuses attendant on the Representation of large populous towns, as they exist at present. He has selected his instances—and very curious instances they are too—from the towns of Dublin and Liverpool." [The Duke of *Wellington* disclaimed having made any allusion to Liverpool—It was the Earl of Harrowby.] He was sorry that he had attributed to the noble Duke sentiments that had fallen from the noble Lord near him; but he was quite sure, that the noble Duke would not feel himself injured by having any sentiments of that noble Lord put into his mouth. Reverting to the elections for Dublin and Liverpool, he observed, that there could be no doubt, that great abuses had occurred in both places. They had been informed of those abuses on the best authority, for they had been made the subject of inquiry upon oath before two Committees of the House of Commons—and what had been the result? That these instances of corruption, which were intended to deter their Lordships from extending the right of Representation to other large towns, were proved to have been committed only by the freemen of Liverpool, whom this Bill did away with, and not by the householders of Liverpool, whom this Bill introduced into the Representation. His noble friend near him observed, that some of these freemen were also householders. On that he would say a word or two directly. But he begged to impress this on their Lordships once more, that at Liverpool all the bribery attached to the freemen only. In the Representation of Liverpool, which was selected to deter their Lordships from incurring the hazards of this Bill, there was something peculiarly curious. All the householders were excluded from voting. Out of 2,400 persons, who as householders of that town were qualified to act as Jurors, there were only eighty that had votes for its Representatives. All the other householders were excluded. The late Mr. Roscoe, who by his talents and his virtues had given to the town of Liverpool a celebrity which it did not previously enjoy—that great and good man, who, with all his sons, was established in business in that town, had not a vote for its Representatives; but their gardener had. And yet their Lordships were to be told, that it was an argument against this Bill, that it would disfranchise freemen, who from being in the situation of Mr. Roscoe's menial servant, were exposed to bribery, and that it would enfranchise men like Mr. Roscoe, who were far above bribery. The noble Earl, who had taken a conspicuous part in the debate of last night (Harrowby) had stated his apprehensions and his objections to what he would call the conjectural consequences of the Bill, and had blamed the noble Earl near him (Earl Grey) for having omitted all mention of them in his speech. The noble Earl had stated that one of his apprehensions was, that when the new constituencies framed under this Bill should get to work, they would overawe the House of Commons, and would thus put an end at once to the taxation and to the national debt of the country. He could have wished that the noble Earl, before he had ventured upon that rash assertion, had considered who the 10*l.* householders were. He held at that moment in his hand a paper—and it was a curious paper, as serving to illustrate that which he was always glad to illustrate—namely, the great and general diffusion of wealth in England—he held in his hand, he repeated, a paper, which gave a return of the number of accounts kept at the Bank for dividends. He found from that paper, that out of 274,823 persons keeping accounts there, 264,668 were persons having less than 200*l.* a-year. He asked the noble Earl, whether it was not a degree of probability, amounting almost to certainty, that these individuals would compose a great portion of the new 10*l.* constituency? And if they did compose a great portion of that constituency, what became of his apprehensions? Did the noble Earl suppose, that these individuals, who, he said, would issue such peremptory mandates to their Representatives, and whose voices he described as already thundering in the ears of their Lordships—did the noble Earl, he repeated, suppose, that those individuals would tell their Representatives to do what they liked on other matters, but to take care, above all things, that they touched the dividends? He would put it to the noble Earl, whether such conduct would not be as devoid of common sense, and of common prudence, as that man's conduct would be who should say to his steward—"Do what you will to my estate, but take care that no rents are paid to me?" There was another objection to the Bill, which had been brought forward by the noble Duke who terminated the debate last night. The noble Duke had insinuated, that as all the members of this new constituency were of one class, they would therefore, on that account, be more accessible to bribery. Now, in making that assertion, the noble Duke seemed to have forgotten, that this new constituency included all householders above 10*l.*, as well as all householders of that amount; that this uniformity of suffrage included every thing from 10*l.* to 10,000*l.*; so that, in point of fact, there was no uniformity, but the greatest inequality in voting, and no ground for the supposition, that the whole of these voters would be accessible to bribery.

The Duke of *Wellington* rose to say, that he had not stated that these voters would be particularly accessible to bribery. What he had said was, that there would be a greater spirit of combination among them than was known under the present system.

The Marquis of *Lansdown* said, that it came to much the same thing. There would be no more chance of combination than of corruption among these new voters; for he was happy to state, there would be in the towns more voters occupying houses above 15*l.* than houses of 10*l.* The noble Duke, in stating his apprehensions on this subject, and in referring to the history of this demand, or, he should rather say, of this wish for Reform, had stated, that the whole, or if not the whole, the greater part of it, had proceeded from the events which took place at Paris in last July. He was inclined to dispute that position. In referring to the history of England, he found that this demand for Reform was an opinion which had been growing up long, very long, in this country. [*A noble Lord:* Only since the American war.] Only since the American war! Oh no, it had its existence long before the American war. But even if it had received its existence at that time, an opinion of misgovernment which had been growing up for the last fifty years was one which deserved and ought to meet the serious attention of every Administration. The noble Duke had said, that this opinion had advanced neither rapidly nor uniformly. It was in the nature of things that such an opinion should not progress either with rapidity or with uniformity. Those changes which acted on the opinions of large masses of men, took place by slow and irregular degrees. What Lord Bacon had said of things was equally true of men; namely, that 'when they were moving to 'their places they moved irregularly, and 'that when they had got into them they 'moved regularly enough' [*a laugh.*] His noble friend was making a joke upon his words again. His noble friend was at liberty to do so as long as he pleased, but laughter was a very bad substitute for argument. The point to which he wished to call the attention of their Lordships, was that which formed the main source of the present discontent of the people. When the noble Duke said, that the discontent with our present system of Representation, which now pervaded the country so generally, originated from the events of last July, he used language which was tantamount to saying, that danger did not arise out of the gunpowder, but out of the match which created its explosion. Whilst this discontent was capable of being stimulated into exertion by the excitement attendant upon events occurring in foreign countries, there could be no safety for the State, except by removing the cause of its danger—a danger, which was the more formidable, because it was not always visible, and which oftentimes only became visible at the moment when it was almost impossible to avert it. He would not detain the House any longer with his observations. The real principles of this Bill were those to which every noble Lord who had yet taken a share in the debate had given his assent, either in a greater or a smaller degree. The principles of this Bill—and he abstained from entering into its details, though it was the policy of the noble Lords on the other side of the House to direct their attention to its details rather than to its principles—the principles of this Bill, assented to by implication by every noble Lord who had yet risen, were these—the extinction of the nomination boroughs, the extension of political influence to the middling classes of society, and the extension of the right of election in counties to every description of landholder, which had hitherto been confined to one class of landholders alone. These were the principles of the Bill; all the rest of it consisted of details, which would be submitted to their consideration when the Bill went into Committee, and on which it was as much the wish of his noble friend near him as it was of himself, that their Lordships should exercise their undoubted privileges of alteration and amendment. If for an instant, he could have supposed that his noble friend had been animated by a desire to debar their Lordships from the exercise of those privileges—an exercise, by the way, from which it would be impossible for his noble friend to debar them—he should not have hesitated, first in private, and afterwards in public, to have expressed how widely and how materially he differed from his noble friend. He was as ready and determined as any man in the House could be, to contend for those legal and constitutional privileges, whenever and however they might be attacked, which they had derived from their ancestors, and one of the most undoubted of which was, the right of calmly deliberating and determining on any important measure which might be sent up to them from the other branch of the Legislature. This conducted him to the last point upon which he should have occasion to trouble their Lordships. Though last it was not least in importance. Amongst, or rather in addition to the other objections stated to this measure, it had been said, that it would affect the future existence of the House of Peers. As he saw that this proposition was assented to on the other side, he would, on that account, beg for a few minutes to call the attention of the House to it. When their Lordships should have passed this Bill into a law (supposing that they intended to do so), notwithstanding the assumption of his noble friend who commenced that night's debate, and of many other persons, that their Lordships' privileges would thereby be placed in jeopardy, there would not be one constitutional privilege belonging to the House, described by any author, claimed in any Parliament, which would not remain as much in force as at the present moment. That of which their Lordships would be deprived, if they were deprived of any thing, was a corrupt share in the abuses of the other House of Parliament. He knew that it had been said, and often repeated, "What will this House do, when it shall come into direct collision with public opinion?" His answer was, that they must stand upon the constitutional ground which public opinion assigned to them, on that ground which public opinion claimed for them, and on which they would be stronger than they could hope to be by any illegal influence which they could possibly obtain. Suppose (and it was necessary for the hypothesis of danger to suppose so) that a case should arise, in which public opinion would be opposed to that which the wisdom of their Lordships should deem to be good policy. And if their Lordships were unable to support themselves in the exercise of their honest and constitutional duties, sitting in that House, which might be called the citadel of the Constitution, did they suppose that they could find defence in the corrupt outworks of Gatton and Old Sarum? Let not their Lordships suppose that the public did not see through so flimsy a disguise. In the exercise of their Lordships' undoubted rights, privileges, and influence, which were revered by the people of this country, if their Lordships should have the misfortune to act in opposition to public opinion, they would meet with support from the people; but they could not expect to obtain that support by persevering in claiming a participation in a system which involved in its ramifications an evasion of the law, and all sorts of iniquity—which was attended in its working with the most pernicious effects.

> " —— fraudesque, dolusque,
> " Insidiæque, et vis, et amor sceleratus habendi."

That was not the character of the system on which he wished their Lordships' power to rest. He entertained the hope, from no selfish feeling, of being able to transmit to posterity those honours which, for the benefit of the public, no less than for his own, he had derived from his ancestors. He believed those honours, not in his own person alone, but in the persons of all their Lordships, to be essential to the well-being of the country, particularly as connected with the state of society and of property existing in this empire. He feared that he had almost exhausted their Lordships' patience, and would not further occupy their attention. After what he had before stated, he hoped that it was unnecessary for him to add, that he did not wish their Lordships to be influenced by public clamour. He hoped that no threats nor intimidation would be used; but if they should be used, he hoped that their Lordships would disdain to notice them. At the same time he thought it would be unwise to disregard the deliberate expression of public opinion; and he trusted that their Lordships would not act an unworthy part, and with the view of shewing that firmness which no man had a right to doubt their possession of, overlook all the considerations of policy which pointed to the adoption of this measure, because it was connected with changes in society which no noble Lord could deny. By a course of useful legislation their Lordships had encouraged the spread of population, increased the productions of science, and raised up large towns. Would their Lordships deny their offspring the rights and privileges of manhood? By the progress and development of the policy which their Lordships had pursued, the surface of the country had been covered with new streams. Was it possible to turn all these streams to flow in the old narrow channel with all its imperfections unreformed? Having endeavoured to diffuse industry, knowledge, and wealth, and intelligence over the land, he prayed them, not to adopt a real change of principles, but to follow out the policy they had begun, and to incorporate for ever the advantages they had created with the former institutions of the country.

The Marquis of *Londonderry* felt himself called upon to address their Lordships after the personal attack which had been made upon him by the noble Marquis, who had wished to know what nostrum so great a Statesman as himself could propose to cure this fear of Reform. He was much surprised at the personal attack which had been made upon him by the noble Marquis, as he was not conscious of having ever given the noble Marquis any personal offence.

The Marquis of *Lansdown* disclaimed having had any intention of attacking the noble Marquis.

The Marquis of *Londonderry* said, that as the noble Marquis had disclaimed any intention of attacking him, he would not press the topic further. It appeared to him that the noble Marquis had left all the speeches which had been made against the Bill unanswered. He had indulged in a strain of declamation, but he had not attempted to answer the speech of the noble Earl near him. The noble Earl near him (the Earl of Harrowby), took the Bill, and what did he do with it? Why, he tore it to pieces. He went through it piecemeal. The noble Marquis's speech was full of flimsy attempts, but he had completely failed to put the Bill together again Neither could their Lordships put it together in the Committee. It was a complete rag, it was a mass of anomalies and incongruities which their Lordships could not make into order. The noble Marquis felt that his colleague committed himself, and he wanted to soften it down. What could be so efficient as the Bill itself, or something almost entirely the same? Would the noble Earl, after his statement on this question, submit to any alterations in the substance of this Bill? Certainly not. And he defied the noble Earl and the noble Marquis to get out of this dilemma. He considered the Bill unjust, unconstitutional, and unprincipled; because it robbed large classes of the people of their vested rights—rights that had been handed down by their ancestors, and which they were bound to preserve for their posterity; because it subverted all the great institutions of the country, and undermined that glorious fabric which had been the work and the admiration of ages; and because, if noble Lords would look to what had taken place in another House, they would see that the Government had departed, in the progress of the measure, from every principle on which they had set out, and had shifted their ground in all ways they thought likely to keep the Whigs in power. The details of the Bill were most ingeniously devised for the great object of its framers, that Whig supremacy should be eternal. In every decision that had been made as to schedule A, and every change in schedule B, the ruling object had been to extinguish and put down all the Tory interests in the country. He would accuse the Ministers of the grossest partiality in all the details of the Bill, and would particularly call their Lordships' attention to the cases of the counties of Durham, Northumberland and Cumberland, which had been so strongly and ably exposed in the House of Commons. There was another point, in reference to that part of the north of England in which he had some interest, which, in consequence of the absence of a noble friend of his (Lord Durham), from the heavy affliction that had befallen him, he was unwilling to notice, and which, from its being personal, he felt some difficulty in adverting to; but it was so strange and so strong a case, that he could not pass it over altogether in silence. There was a clause in this Bill, by which freemen of cities or boroughs residing within seven miles of the places of which they were free, were to retain their votes. Now it singularly happened, that all the freemen in the interest of his noble friend, to whom he had alluded, resided within the seven miles, and that those in the interest of the humble individual who addressed their Lordships resided only within nine miles, and yet the identical number seven miles had been thus curiously, he ought not to say designedly, fixed on. This, however, was not a singular instance, for there were many such—all, with the shuffling of boroughs from schedule A to schedule B, and from schedule B to schedule A, tending to establish Whig power, with the main view of establishing and upholding the interests of the noble Earl who now supported and ruled the councils of the country. Besides, the noble Earl was making this concession on a plan he much reprobated with regard to the Catholic Question. The noble Earl had said, that if their Lordships had conceded in time to the Roman Catholics all they were entitled to, not the slightest mischief or disaffection would have arisen in Ireland. He urged the House, therefore, to concede in time on this great question of Reform; but did he give the people all they asked, and considered themselves entitled to, even under his fatal and impolitic Bill? The people demanded Radical Reform, Vote by Ballot, and Universal Suffrage, if the cry of the majority of Reformers was to be believed; but did the noble Earl give it? Certainly not. But he called on the noble Lord to answer candidly, if he was not convinced that these measures were behind? [Earl *Grey:* No, no!] Did the noble Earl imagine, then, that the provisions of this Bill would long satisfy the people? No, they would thank him for the boon at the moment; but in proportion as they received power, they would instantly desire to increase it; and when once established in the first parallel, the Reformers would never be satisfied until they had carried the place. But the noble Baron opposite said, the petitioners say not a word about Universal Suffrage or the Ballot. Certainly not; and in Ireland the cry was all for Reform: not a word was heard about the Repeal of the Union now. But could the noble Lords, with their knowledge of human nature, and looking at the signs of the times, and what was occurring around them, and from the very example of the Catholic Question, be so innocent, so blind, so obstinate, as to believe that this seeming forbearance now arose from any thing but a cunning and deeply-laid policy? Could they be so simple as to believe that the Radicals of this country, or the people of Ireland, directed as that country was, by one organ, would be satisfied with the Reform Bill alone? the thing was absurd upon the face of it, unless they chose to forget, that before the Reform Bill was brought in, they made various and solemn declarations of their far more extensive wishes. As far as Ireland itself was concerned, he was satisfied that the effect of this Bill would be, to deliver the country up to the power of the Catholics. According to the population returns which he had consulted, he was certain that the Catholics would elect seventy-two out of the 110 Representatives for that portion of the empire. He felt and dreaded the effects of this particular part of the Bill more strongly as an Irishman, and still more strongly as a Protestant, than even the Legislative enactments as to England; for he was satisfied that this was only looked upon as a stepping-stone to the Repeal of the Union, and the destruction of the Protestant Church. There was another circumstance connected with the carrying of this measure, to which he could not, as an independent Peer of Parliament, entirely shut his eyes. The noble Earl, with an energy that did him great credit, disclaimed, as he understood him, any improper motive in the recent elevations to the Peerage, and stated the occasion on which they were made—that it was not meant to overawe the decisions of this House. The noble Earl's remarks on those elevations were quite consistent with what he formerly said, when he spoke on the occasion of the Corn-bill, when it was supposed that the Minister was about to make Peers for a particular measure. He could not help, however, looking upon these new creations as something exceedingly unconstitutional, especially after his Majesty's Speech, urging their Lordships to uphold the authority of both Houses of Parliament. It was unconstitutional in this sense—that an individual who had already voted upon a measure in the House of Commons, should be translated into this House to vote upon it again as a Peer. Such a proceeding surely could never be defended or approved of, and he, for one never thought that the noble Earl was capable of advising such a measure. Allusion had been made to the Charles Grey of former times. He should like to see—not the Charles Grey of former times, but the Earl Grey, who, at a time not far distant, stood forward so manfully in support of the privileges of his order, and supported those by whose sound policy this country had been carried through a period of unexampled difficulty and danger, almost unparalleled in the history of the world; by whose perseverance and steady resistance of all revolutionary attempts in other countries, the happiness and prosperity of our own had been continued. Happily, despite the dangers of the last half century, this country was still the same England, and God forbid that they should now run the hazard of revolution by adopting such a Bill as this. When the measure of Reform was first introduced into Parliament, it was declared by the noble Earl, that it would be of a moderate nature. How had the noble Earl answered this description of his plan? That measure was lost, Parliament was dissolved, and the voice of the people appealed to; but when that appeal was made, did Ministers shield the King's name in that sacred way which, as Ministers of the Crown, they were bound to do? or did they not rather convert it into a powerful instrument to effect their own views? If he understood the Constitution at all, the King's name ought not to be brought forward in any election contest, nor could the King give his consent to any measure until it had passed through the two Houses of Parliament. He might allow it to be introduced, but further he could not sanction it till it was passed. But at the last general election, in every county and in every town, Ministers placed the King's name by the side of Reform. It was the first instance in the history of the country of such a proceeding having taken place. When did they ever hear before of the King being united with the mobocracy of the country? The present Government, however, had established the precedent; and having assailed the very vitals of the Constitution, they concluded by introducing a measure which would overturn every institution of the country. The noble Earl, however, had said, that they should concede in time. Was it not by ill-timed concession that Neckar, the French Minister, brought his master to the scaffold? While at that very period the British Ministry, amid difficulties and dangers almost as great as those which distracted France, by their firmness and strict adherence to the principles of the Constitution, under the guidance of a Pitt and under the sway of George 3rd, preserved their Sovereign and saved the State. Would the noble Earl now become the Neckar of England? Was he to be hailed in that character? He would not go at length into this question, indeed, he should not have risen, knowing the superior abilities of so many that are desirous of addressing their Lordships, but for the personal allusion of the noble Marquis, which seemed to demand some answer from him. He was however, glad that he had risen, because he should stand recorded in this debate as having offered his humble, but honest and hearty prayer, that his Majesty's Ministers would weigh well the consequences of the measure which they proposed. Although the noble Marquis and the noble Earl deprecated all menace, still there was something in the noble Earl's (Earl Grey) assertion, that the Bill must pass, and that he would stand or fall by the Bill; which assumed, in his opinion, something savouring much of the shape of menace; and his address, also, to the Right Reverend Bench, carried with it more of threat than of conciliation: he assumed the character of a monitor, and addressed to them, if not a menace and threat, a most extraordinary and unusual, nay indecent caution. That caution was a most unusual and unstatesmanlike proceeding—a proceeding which he had witnessed with the greatest regret. He believed that the right reverend Lords who sat among them, and took a part in their deliberations, would on this, as on every other occasion, act with honour and integrity, and with a conscientious conviction that the course which they adopted was the best calculated to promote their country's good. The noble Earl might have allowed the right reverend Prelates to have gone to a vote upon this question without his caution or direction, and without receiving a lecture at his hands. If the cause was righteous, why should the noble Earl deem it necessary to uphold it by such an extraordinary proceeding? If wise, expedient, and advantageous to the country, why should the noble Earl fear as to the support it would receive? With these observations—standing before his God, his country, and his King—he would declare that this Bill should have his most decided opposition.

Viscount Goderich and the Earl of Haddington rose together. There were loud and continued calls for each.

The Marquis of Cleveland moved that Viscount Goderich be heard.

A noble Lord on the Opposition side moved that the Earl of Haddington be heard.

The Duke of *Richmond* said, that yesterday three Peers addressed the House from the Opposition side, and only one from the Ministerial side. It was well known that the noble Earl intended to speak against the Bill. He put it to the candour of the House, and of the noble Earl, whether it would not be most consistent with fairness to allow the noble Viscount, who was one of those responsible for the important measure under consideration, to address the House first.

The Earl of *Haddington* said, that it was his intention to make some observations on the speech of the noble Marquis, but he had not the least desire to prevent the noble Viscount from speaking first.

Viscount *Goderich* said, he had been twice placed in the painful situation of being called upon in opposition to two noble friends for whom he had the sincerest respect and esteem; but he was sure that neither of those noble Lords nor the House, reflecting upon his situation, would think him presumptuous in presenting himself to their notice. During the incidental discussions which took place, he had offered no opinion, although there were undoubtedly many things to induce a man to come forward and break silence. Still he had persevered in abstaining from taking part in these conversations, considering that he was acting in unison with the feeling of the House, and believing it was the course best calculated to keep down in their minds every feeling tending to give any other tone to a discussion so momentous, save that of calm deliberation. He did, however, feel considerable anxiety to express his opinions upon the subject, and he was the more anxious to do so at that moment, when he remembered the remarkable words which had been used by a noble Earl (the Earl of Harrowby) on the preceding evening, in a speech which had received much well-merited eulogy—words which went to attribute to the Ministers a crime of which all their Lordships would be compelled to pay the penalty. If he believed that this was the case, he should not have the face to present himself before their Lordships; but he did not feel guilty of the charges. His conscience told him that he had done nothing disgraceful, that he had done nothing which was inconsistent with his duty to his Sovereign, his duty as a Minister of the Crown. It was impossible, however, to remain silent under so grave a charge. The noble Earl, in fact, charged them with being the cause of all the excitement which prevailed. It would have been transitory, had it not been for them, said the noble Earl. If they had not kept alive the flame, it would have subsided as soon as the people had the opportunity and advantage of a little calm reflection. If this, indeed, were the right view of the case, or the true history of the question, he should undoubtedly admit the crime with which the noble Earl charged his Majesty's Ministers; but he said, that any man who looked to the nature of the question, and looked to the history of its progress, must take a narrow and contracted view of public feeling, if he considered it founded on any thing so transient that a delay of a few months could change its character. It had been stated by his noble friend, that the question was a new one, but he could not look upon it in that light, for it had attracted the attention of the country, with more or less intensity of power, for a period of fifty or sixty years. It was a strange fact, that when first it was introduced, little comparative disfavour was entertained against it even in the House of Commons. In the progress of its history, however, events arose towards the end of the last century which naturally tended to create in the minds of men great distaste towards all political change. And if he had been old enough at that time to have taken part in public affairs, he should decidedly not have supported any proposition of this nature. But this was a question which, from its nature, might slumber, but could not sleep; and if even it were occasionally to sleep, there was something in the constitution of the human heart that rendered it impossible it could be extinguished. Thus, although for many years after the commencement of the French revolution, there was comparatively a distaste against it, yet there were many circumstances which subsequently occurred that tended to place it in a more favourable position. Many things tended strongly to direct the attention of the people to it, and ultimately to give a great and increased anxiety for its consummation. The increased taxation, the altered state of men's fortunes by the sudden change from war to peace, added to the long continuance of that war, led the people to wish for some change. A great alteration had taken place in the state of society. The noble Earl had observed, that during the period of time from the battles of La Hogue to Trafalgar, and from Blenheim to Waterloo, the country had enjoyed a degree of glory and prosperity which it might never happen to enjoy again, and most probably not under a Reformed Parliament. But he would tell the noble Earl, that during this period there had been a change, an irremediable change in the state of society. In the midst of all this glory and prosperity, there were symptoms of the unstable nature of that very prosperity, which was produced during that period. And when there came the change from war to peace, there was scarcely an interest in the country, mercantile or manufacturing, which did not suffer and participate in those sudden changes by which thousands of persons actively employed, and enjoying comparative prosperity, were exposed to feel the effects of frequently recurring depressions. What was the effect of this? The people imagined that it was the result of having an unreformed House of Commons. He had not joined in that opinion, neither did he support the present measure because he did not believe that the present constitution of that House was not calculated to work good to the country (for to say that, would be to libel not only the House itself, but all those who had acted with it, and all those who had lived under it); but he would contend, that it was by no means wonderful, when their Lordships looked at the nature of the question, that large masses of the people, exposed to such changes as those he had mentioned, should adopt the feeling, that in the constitution of the Commons House of Parliament was to be found the root of the evils which so vitally affected them, and that in a Reform of the constitution of that House was to be found the only remedy for those evils. When the peace came, men were led to expect the return of many of those blessings of which they thought that the war had deprived them. No one, however, could look at what had since happened, and not be convinced that they were mistaken in their expectations. The peace had not restored those interests to prosperity, as had been anticipated. When their Lordships considered what the importance of the question was, they must feel convinced that it was one which was not likely to be easily forgotten by the people. It had, however, received an additional impulse from occasional circumstances, until at last it had grown to such an extent, that it was absolutely necessary to look the question in the face and deal with it as prudence might direct. He would ask their Lordships, if nothing had occurred in recent times respecting this question, which of itself was calculated to give further force to the impressions of the public? In the earlier periods of the history of the country, no one could trace the monstrous abuses of the system which had of late years taken place. He meant the buying and selling of places in Parliament. The only place in which any trace could be discovered that such a practice had ever taken place in ancient times, was in a letter written by Lord Chesterfield, and though, subsequent to the time of that nobleman, the practice had been continued, it was for a long period carefully concealed. At length, however, the practice became known, it became as open as the sun at noon-day, and was even defended, as it had been in the course of that debate, on the principle that it was the means of introducing into Parliament persons of the most independent characters. Noble Lords were thus praising the very thing which had been condemned as being unconstitutional. A law had actually been passed, declaring that that very practice which had been so lauded in that debate as being part of the Constitution of their country, which ought to be preserved as being necessary for the maintenance of the dignity of the Peerage, was inconsistent with the rights, the usages, the laws of Parliament, and the Constitution of the realm. When an Act of that kind had been passed, and when people knew that, notwithstanding that law, the practice was still continued with unblushing effrontery—when it had even increased in extent, and was at length held up as a thing to be maintained—their Lordships must suppose, that the people would think that they were not themselves capable of forming a proper judgment as to who ought to be their Representatives if they submitted to such contradictions patiently. The people of England, however, were not fools, and it would not be easy to justify to them the maintenance of that which the law denounced as a crime, or to reconcile to their notions that declaration of the law with the defence of the condemned practice, as if it were a virtue to be upheld and supported. He knew, with respect to many persons who possessed these rights of nomination, that they presented noble and generous examples of disdaining to soil their fingers with any dirty practices. He had experienced that such was the case, and he sincerely wished that he had not experienced the contrary. He felt that he took some shame to himself by the confession, though he might allege, in alleviation of his having availed himself of the practice in order to have a seat in the Representation, that it was prior to the passing of the Act to which he had alluded. In the face of the existence of this obvious contradiction between the law and the practice of the country, was it very wonderful that the people should wish to dissociate the existence of boroughs and the practice to which he had referred? It had been said, that if this Bill were passed, the government could not go on; but if they had refrained from legislating on this subject, or if they had produced a less extensive measure of Reform, so far from palliating the discontent of the country, they would have prolonged it to all eternity. His noble friend opposite objected to the principle of the Bill, and said, that there could be no more unwise a principle upon which to proceed than that of population, which was the principle of all democracies. He said, that if any principle should be adopted, it ought to be a principle of combined population and taxation. He (Lord Goderich) denied that in the present Bill they had adopted population as the principle in any sense which he had assumed that it had been used. It had been, it was true, stated that certain boroughs were to be no longer entitled to send Representatives to Parliament, on the ground of the paucity of the inhabitants, but that was because it was necessary that they should be limited to some rule. In democracies, however, where population formed the right of Representation, divisions of the country were made; and in whatever place the required numbers were found to exist, that place immediately became entitled to Representation. In the present case, however, the population of a borough was taken merely as an indication of its decay or of its importance, and it was also taken in conjunction with taxation. There were papers already upon their Lordships' Table, calculated to show the relative proportions of taxation, or rather of assessed taxes (for these were the only taxes which could give any information), which were paid by each of the boroughs which were proposed to be disfranchised. Why were these papers produced? Solely to enable their Lordships to judge of the importance of those boroughs upon the combined principle of taxation and population. He could not conceive what rule they could have taken for their guide if they had left population wholly out of the question. If, as in ancient times, they were to advise the King to omit sending a writ to certain boroughs (and in former times it was as often considered a burthen as a favour to send Representatives to Parliament, owing to the expenses attending it), the Crown would be at liberty to adopt any principle it pleased; but under present circumstances, unless they were to adopt some such principle, it would be impossible to guess what borough ought or ought not to be disfranchised. It was also said, that without the practice of nomination, Government could not go on, for it was necessary to its daily working, and much was said of the inconvenience which would be felt if no places of that description were left, to enable individuals connected with Government, and with the various interests of the country, to find their way into the House of Commons. His noble friend had drawn a beautiful picture, which he felt confident must have touched their Lordships' hearts, and held out to view the benefits likely to result from enabling those who would hereafter arrive at hereditary honours, and would have to discharge hereditary duties in that House, to become initiated in public business in the other House, and by mixing with their equals and inferiors to have their rust rubbed off by the jostling they would have to encounter. He admitted the advantage which would result from this—indeed, if he did not, he must forget the stock from whence he sprang, and the service he had seen himself; but he totally denied that the existence of nomination boroughs was at all necessary for that species of education. Had they no experience upon this subject? How many counties had returned the eldest sons of Peers? At the present moment the county of Northumberland was represented by the son of his noble friend (Earl Grey), and it had once been represented by the noble Earl himself, though at one time he lost it, owing to his public conduct, which, however, he must say did him honour. That, however, was but a natural consequence of our Representative system. In York, also, and in Lancaster, Derby, Cheshire, and, in fact, in more than half the counties of England, time after time, the eldest sons of Peers had been returned to Parliament, so that it was clear they might still have the benefit of experience in the House of Commons without having occasion to resort to nomination boroughs, or to the expedient of paying 8,000*l.* for a seat in Parliament. A great many complaints had been made that the Aristocracy of this country would not have that influence in the counties which it had possessed, should the Bill pass, and that those connected with the leading men of the counties would be disregarded. It was really idle to argue thus, for the people of England would still be influenced by the aristocracy among whom they lived. With respect to the Representation of Scotland—but he would not go into that question—there was a something which the measure would correct; for by the law at present, the eldest sons of Peers could not sit for Scotch places. He agreed with those noble Lords who had spoken of the wealth and the prosperity of Scotland. But was that owing to the circumstance of the impossibility of the sons of Scotch Peers sitting in Parliament for Scotch boroughs or counties? There would be no necessity, as some noble Lords who opposed the measure seemed to think, for the Aristocracy to court mob popularity. Why should they? The sons of Peers and the influential men of the country had something better to rely upon. They had their own talents—they had their own characters—they had a thousand individual ties to bind the people of the country to them. He would contend that the more the franchise was extended, the greater would be the certainty of the influential classes being selected to represent the people in Parliament. He really saw no such alarm that the men of talent, of knowledge, of influence in the country would be cut off from representing the people in the House of Commons, because of the excision of the rotten boroughs. But it was said, that the system proposed, of disenfranchising large towns, and of extending the mode of enfranchisement, would deprive the colonies of that Representation which they had hitherto enjoyed. He did not like to offer conjectures, especially to found arguments upon them; but this he would venture to assert, that the popular places would still be open to men of the description who had hitherto been considered the peculiar Representatives of the colonies. It was a mistake to suppose that these gentlemen, possessing property of the nature which gave them an interest in the colonies, could have no other means of finding their way into the House of Commons than through borough Representation. He could state, he thought, fifty instances in which they would find their way into the House of Commons through other channels. If a man of character, of talents, with connections as to colonial property, to which he had adverted, now found his way into Parliament for Liverpool, Hull, Newcastle-upon-Tyne, Bristol, or any other place of that kind, he wished to know why the people of those towns, because they had an extended Representation, should act as it was supposed, in so monstrous a manner, as to reject such men, whom they had in other times elected? Those gentlemen who had been considered the Representatives of the colonial interest were not ashamed of showing their faces—they were not usually of those retired habits that would prevent them from presenting themselves at the hustings; and it was a mere gratuitous fancy to suppose, that they would feel those difficulties in getting into the House of Commons which appeared to haunt the mind of his noble friend, and the noble Duke who had spoken last night. But then their Lordships were told, that it was a very gross act of injustice to deprive Corporations of their right of sending Members to Parliament. He would not now enter at length into any disquisition upon what were properly the rights of those corporate bodies. He had stated in the course of last year, with respect to these rights, that they were in the nature of a trust. If, indeed, these corporate bodies possessed them as a right, in a legal sense, why then he did not feel disposed to dispute the difficulties which had been urged against taking them away. But feeling that they were in the nature of a trust, he thought he had a right to ask, why the ancient practice in respect to freemen's rights of voting had been departed from? They had heard of the bribery which had taken place at Liverpool, Dublin, and other places, in election matters; and, if he were not speaking in that House, he might say what he had a personal knowledge of, as to the practice which was well known to be resorted to. He did not mean with regard to those two places which he had named; but if he were walking with a friend in the street, and the subject of such a practice was entered upon in conversation, he would venture to say, half-a-dozen places might be named in which freemen received a sum of money for their votes. He begged to mention to their Lordships one of these cases. There was a place where he had no interest of his own, which he would not name, and at an election there he was anxious to have his friend elected a Member—a man of great talent, of independent character, and who had served his country with honour, and who had distinguished himself in his country's cause. Understanding that money would return a Member, he consulted a professional man who was acquainted with the practice which had been there carried on. To that individual he stated that one thing was absolutely necessary before the gentleman offered himself—that he must know the exact amount of the douceur to be given. Having been informed what that was, he then inquired whether, supposing he should not comply with giving the sum to the out-voters, they would give their votes to him? The answer was "not one." He next asked, supposing his friend should appear at the hustings without complying with the terms, whether he would have any chance? The reply to that question was, "not the least." Many such practices, he doubted not, were very familiarly known to their Lordships. He would, indeed, venture to say that similar instances were innumerable. Their Lordships were told, in general terms, of the fatal consequences which would follow from the adoption of the measure. His noble friend who had spoken last, had gone into the subject of the French Revolution—not the last revolution, of July, 1830—and had detailed some of the horrors of it, which he had attributed to the policy of Neckar. But what was the real fact? Those who attributed to him that Revolution, misinterpreted the history of France, and overlooked the events which preceded that tremendous convulsion. If their Lordships consulted the history of that period—if they examined into the causes which had operated—the events were easily traced. What were the causes which led to those fearful events? They were to be traced to a corrupt Court

—a degraded nobility—a degraded nobility that insisted upon their exclusive privileges over, he might say, an enslaved people. The history of France showed, from the earliest period of the grievances of the people, down to the latest time, a perpetual struggle carried on between the people and the government. It was necessary to look to the causes, and not to the effects, when speaking on this subject. If history were taken as a guide—if the experience of past ages were to be attended to—the events which had occurred in a neighbouring country would afford beacons to light their Lordships in the path which they ought to pursue. With permission of the House he would now proceed to speak upon a subject which was unpleasant to him—he meant himself. If their Lordships had done him the honour to recollect what he had stated on a former occasion on the subject, they would be in possession of his sentiments; and they would also, he flattered himself, believe that he had not adopted his present course without having deeply considered the grounds upon which he acted, and without feeling that he was fully justified in such a course. In taking that course, however, he could not presume to say, as some of his friends had done on another occasion, that he had made great sacrifices of personal interest or of political power, but this he could state, that he had made a sacrifice of many preconceived opinions, of many early predilections, and of many long-cherished notions. He would not have made such sacrifices as these, as their Lordships would readily believe, if he had not been supported by the consciousness of the sincerity of his intentions, and had not he had a conviction of the necessity of such a measure; upon the faith of which opinions he threw himself upon the House and the public, declaring that he would sacrifice every personal interest to that which was paramount to all feeling—namely, the interest and well-being of the country which he loved.

The Earl of *Haddington* rejoiced that he had been preceded by his noble friend, to whom he gave full credit for the principles by which he professed to have been guided in the change of opinion he had undergone; and their Lordships would believe him when he said, that he was equally free from any other bias or motive for the course he should pursue, opposed as it was to that of his noble friend, than an anxious desire to maintain the unabated welfare and prosperity of the country. His noble friend had entered into a history of the excitement which now prevailed in the country upon the subject of Reform, and had endeavoured to explain its progressive growth. The fact, however, was, that this feeling had not been progressive, that it had only exhibited itself on particular emergencies and by sudden starts, and that it was now mainly to be ascribed to the events which had taken place upon the Continent, and to the imprudent encouragement it had received from his Majesty's Government. The noble Viscount, said that all men now bore testimony to the importance and necessity of Reform, and that all now expressed themselves Reformers. To a certain extent that was true. Many who hitherto opposed all Reform were now friendly to such a measure; but the Reform, and the only Reform in which they could acquiesce, must be a Reform founded upon the known principles of the Constitution. This was no new ground taken up by him, nor was it ground taken up in that debate for the first time. But upon the general theoretical principles of Reform he and all those who would vote with him on the present occasion adhered strictly to their former opinions. He was now as much disposed as ever to contend, and his noble friend, unless he relinquished every opinion he had formerly maintained, must admit, that any change of the institutions of this country, founded upon general theoretic principles, would be pregnant with danger. His noble friend said, that the Revolution of 1688, the Union with Scotland, and subsequently the Union with Ireland, were facts which went to prove the power of the Constitution of the country to adapt itself to circumstances. But it might be observed, that all these changes were founded upon the principles of the Constitution. A noble friend of his (Viscount Melbourne) last night quoted a passage from the writings of Bacon, to show that the object ought to be to secure as much of permanence as possible in institutions founded upon popular consent; and he then proceeded to contend, that permanency in our present institutions was impossible, because the popular consent failed. But his noble friend did not prove, that it was necessary to make this particular change.

The noble Lord asserted that Birmingham had grown greatly in wealth and importance, and that it was therefore necessary to give Representatives to Birmingham. This he believed to be true. But when the noble Lord added that this was the whole question, he denied that it was so. For the noble Lord himself said further, that the whole country having grown in wealth and intelligence, it was therefore necessary to new-model the whole Representation. This proposition he denied. Could it be contended, that because great masses of wealth and population had been accumulated in particular places, that it was necessary to introduce a Bill, founded upon the principle of disfranchisement? But disfranchisement was the principle of this Bill. The Bill began with disfranchisement, and then the grant of new rights followed. Was it necessary, because Birmingham had become a great town, to new-model the whole Representation of the county of Warwick? Was it necessary on this account to trample upon the chartered rights of the freemen throughout England? His noble friend, whose health he rejoiced to find had permitted him to come there to defend the institutions of the country—and he sincerely wished that the state of his health would allow him to take a more frequent part in their deliberations, and that share to which his talents so well entitled him in the management of public affairs—the noble Earl (Harrowby) had said in his admirable speech, and justly said, that population was the only principle of the Bill. His noble friend who spoke last said, on the contrary, that the Bill proceeded upon other principles than that of population. This he doubted, or at least he would say, that if the Ministers had taken other principles as their guide they had widely departed from them. He found that additional Members were given to counties which did not pay assessed taxes equal in amount to other counties to which the same advantage was not given. He found also, that some of the boroughs which were inserted in schedule A paid a greater amount of assessed taxes than others which were in schedule B. If this were so, what, he begged leave to ask, became of property as a principle of the Bill? If a population of 4,000 entitled a place to two Members, and a population of 2,000 to one Member, there would not long be wanting persons to tell them, that a place of 150,000 inhabitants ought to have more than two Members, and a place of 10,000 inhabitants more than one. He was told that this principle was making very rapid progress among the philosophic inquirers of Birmingham and elsewhere, and it was evidently a principle which could only be satisfied by the division of the country into electoral districts. His noble friend had said, that the noble Earl (Harrowby) had accused the Ministers of adopting the pure abstract theory of population. The noble Earl had not said so. He said, that they took the number of the people as a basis, and warned them that others would adopt the pure abstract theory of population, and insist upon having that principle fully acted upon. He held in his hand a very able performance, an article of the North American Review, published here in the shape of a pamphlet, and entitled "*The Prospect of Reform in Europe.*" The writer was, of course, imbued with the principles natural to an American citizen, which he enforced with considerable talent. He looked on at what is passing in this country with surprise, but at the same time with hope—he reasoned learnedly on the operation of the principle of numbers, as exemplified in this Bill. He asked—'What is the 'plan of Reform in Parliament? It appears to us that it is what it has been declared to be by the most eminent of 'those who have opposed it in Parliament '—a revolution—a great change, carrying 'within itself a pledge of further change. 'It has been said of revolutions, that 'they do not go backward. It may with 'equal truth be said, that they do not 'stand still till the goal is reached. The 'footmarks not only point forward, but 'they run on to the extremity of the principle.'—Again he said, 'Observe, it is 'not now a question whether the present 'system of Representation does not work 'as well as our system, or as any system; 'but whether a great change in the present system, called Reform—which begins by wholly disfranchising sixty boroughs, because their population is under '2,000, and deprives of half their franchise forty-seven boroughs more, whose 'population is under 4,000—can stop 'there? What reason can be given to 'satisfy the inhabitants of some of the 'populous towns, having no Representation at all, and to whom it is not proposed to give any? As to the present system the answer is ready. The British Constitution does not propose a geographical Representation; it finds certain boroughs, some large and some small, possessed of the right of sending a Member to Parliament, for a long period of years, some of them from time immemorial; the system, in practice, operates well, and it does not profess to be founded on the Rule of Three. But now come the Reformers; they say it does not work well, that the House of Commons has lost the respect of the people; that it is an abuse which cannot be longer borne, that boroughs of less than 2,000 Members should send Representatives, although they may have done it by prescription, as old as any title in the kingdom; and that it is an equal abuse, that boroughs of between 2,000 and 4,000 should send more than one Member. Well, then, cannot all the unrepresented towns in the kingdom, whose population exceeds 2,000, say, that if you discard tradition, and go upon reasonableness and fitness, our right is as good as that of the represented boroughs? Surely they can and will. So too as to the counties. It will appear on the reformed plan, that counties differing widely in population, possess the same share of power in constituting the House of Commons. Will this be endured in a system which disfranchises sixty boroughs for no other reason than that their population is smaller than the others? Those who suffer by the imperfect application of the rule-of-three system—that is, the majority of the people—will clamour to have it carried through; and they will have reason and common sense on their side. Mr. Canning and the Anti-reformists could answer them; but Lord John Russell cannot. The vice of the present system is, that it is the rule-of-three plan, with a blunder in working the question. The question is, if the borough A has 4,000 inhabitants, and sends two Members, how many Members shall the borough B send, which has 10,000? Lord John Russell works the question thus:—as 4,000 is to 2, so is 10,000 to 2. But it is not; as 4,000 is to 2, so is 10,000 to 5’. This able writer afterwards acknowledges, as he well might, that his country derived the spirit of her free institutions from the parent land; and, confident in the superiority of the American Constitution, and anxious to pay the debt of American gratitude to England, is full of hope as to the workings of this plan of Reform; and looking to our political regeneration, he thus exclaims:—‘We shall more than return the inheritance which our fathers brought over with them; and, like the Roman daughter, we shall give back the tide of life to the frame of our political parent’. The Americans, however, with other people, were astonished at our proceedings; they looked with amazement at the course pursued by England. They said to each other, “Here is the country that the world has been looking at with wonder and admiration for centuries; a country which, with a small population and a limited territory, has risen to a height of greatness unsurpassed by any other—which has gone through, with power and success, a contest of a severity unexampled in the history of mankind—a country which boasted itself as the rallying point for all the free and liberal of the earth. What is its people aspiring to? With what are they discontented, that they toss to the winds the institutions which have given them so much fortune and so much power, and launch themselves on the wide ocean of expectation, looking to untried theories as a means of amending that system which experience should have taught them does not require any amendment?” But as to the disfranchising part of the measure, all he wanted to know was, why all the freemen of England were to be disfranchised? His noble friend said, that many of the corporations were corrupt, but it was equally true that some of them were not so. He once Represented a borough which was as honest as any place in the world could be; he meant the city of Rochester. But if some of the boroughs were corrupt, why not apply a remedy by letting in other voters? It was very easy; they might have ten-pounded them as much as they liked, but not displaced them for other men in no respect better than themselves. They displaced the freemen, but whom did they put in their place? The men who paid 3*s.* 6*d.* or 3*s.* 10*d.* per week for their lodging. He asked if these persons were not as much liable to bribery as the existing class of freemen? There were some places where the occupation of a residence of less than 10*l.* a-year made persons be looked upon as paupers; and during the

the present Session there was a bill in Parliament which exempted from the payment of poor-rates all persons so situated. There were now, it was said, a great number of electors who could be easily bribed, and to this class of voters was to be added all the other, those 10*l.* voters to whom the Bill would give the franchise. Then they violated all the principles of justice by depriving the children of freemen of their corporate rights. What had the present generation of freemen done, that their children should be deprived of their rights? What had the ten-pounders done, that they should be preferred to the five-pounders? He objected altogether to the principle of disfranchisement. If the freemen were corrupt, a remedy for this might have been found without any violation of right. This was a very serious thing. He had never maintained that political trusts were to be considered the same as private property. Those who did so, attempted, in his opinion, to maintain an ultra opinion and an untenable position. But the political trust being mixed with political rights, which gave value to social position, and in many cases added value to property with political rights which could be maintained in a Court of Law, it followed, that in withdrawing the trust they committed an unnecessary violation of legal rights. This doctrine was laid down in another place by a right hon. Baronet (Sir R. Peel), and he remembered having been much struck by his argument upon this part of the subject. This principle of confiscation, combined with that of uniformity of the franchise, another of the pernicious principles of the Bill, was decidedly objectionable; it had no inseparable connection with the disfranchisement of nomination boroughs, or the gift of Representation to large towns; and he ventured to say, that if the noble Earl had brought forward a measure comprehending the two latter objects only it would not have experienced so determined a resistance. Those who opposed this measure were twitted with not bringing forward any specific measure of Reform. Why it was not their business to bring forward any measure of this nature. A noble friend of his had said, that he never before took part in any discussion of the question of Parliamentary Reform, but that he thought it a great advantage that the question had been brought forward by Government. That might suit those who were favourable to Reform, but he and his friends were not among those who clamoured for Reform. They were content to remain as they were. He wished they could remain as they were, but he knew they could not. And he felt that he should be acting the part of a bad and unpatriotic citizen if he were to fight upon such a subject an useless and therefore mischievous battle. He could not but advert to the speech of Mr. Canning upon this subject when he thought he was about to depart for India, and when it was supposed that he was addressing the House of Commons for the last time—a speech distinguished alike for eloquence and moderation. At the close of this speech his late right hon. friend paid a just compliment to the noble Lord, the author of this Bill. He said, that it would be the glory of the noble Lord to have brought forward this subject and to have fought this battle, and his to have resisted it to the last. He was not now bringing forward the name of his right hon. friend for the purpose of saying what his opinion would now have been upon this subject. He had no right to do so, and thus to seek shelter under the well-merited reputation of his right hon. friend for the blunders into which he might have fallen. It was also impossible to say how much the very fact of his being alive might have changed the situation of the country. "Ah! my Lords," pursued the noble Earl, "this leads to melancholy reflections." But another Statesman, three years afterwards—a man eminent for wisdom and ability—expressed the same opinions which had always been entertained by his right hon. friend. Another right hon. friend of his had voted in February 1830, for the extension of the franchise to Birmingham, Leeds, and Manchester, and having stated other reasons which had induced him to adopt that course, finished by saying, that he did so to resist Parliamentary Reform. He said, 'as 'to a more extensive Parliamentary Reform '—a measure founded upon the principle 'of a general revision, reconstruction, and 'remodelling of our present Constitution '—to such a general revision, and change 'of our Constitution he (Mr. Huskisson) 'had been always opposed; and while he 'had a seat in that House, he should give 'it his most decided opposition. He 'conceived, that if such an extensive Re'form were effected, they might go on for 'two or three Sessions in good and easy 'times, and such a Reformed Parliament 'might adapt itself to our mode of go- 'vernment, and the ordinary concerns of 'the country; but if such an extensive 'change were effected in the Constitution 'of Parliament, sure he was, that when- 'ever an occasion arose of great popular 'excitement or reaction, the consequence 'would be, a total subversion of our Con- 'stitution, followed by complete confusion 'and anarchy, terminating first in the ty- 'ranny of a fierce democracy, and then 'in that of a military despotism, these 'two great calamities maintaining that na- 'tural order of succession which they have 'been always hitherto seen to observe. He 'was, therefore, opposed to such an exten- 'sive change and revision of our repre- 'sentative system. It might be easy to 'raise objections to the boroughs, and by 'separating the representative system 'into its various constituent parts, to point 'out evils and abuses in several of them; 'but it was a waste of time, and a perver- 'sion of common sense, to look at it in 'that way. He would take it as a whole, 'and, regarding our present system as one 'aggregate, he was opposed to any ma- 'terial change in it. It might be easy to 'take to pieces all the parts of such a 'complicated system, but he doubted that 'it would be equally possible for human 'skill to unite its component parts again; 'and it appeared to him still more doubt- 'ful, even if put together again, that it 'would ever work as well for the country 'as it had hitherto done.'* These were the sentiments of that eminent person, Mr. Huskisson. He adverted to these principles, and all that was passing around him made him regret the fatal delusion which deprived them of their proper authority. They heard much of the necessity of the change, but nothing of the fixed resting-place. The noble Lord had said, that it was necessary to go much further in order to find a resting-place. But of all the delusions ever practised by sincere and able men upon themselves, that was certainly the greatest which induced them to produce the present Bill as a final resting place. Instead of a resting-place, it almost seemed to him that in this Bill the noble Earl and his noble friend had discovered the principle of perpetual motion, and he was ready to expect an application to his noble friends on the part of the Board of Longitude. If a public extension of the suffrage were claimed, he was at a loss to know what answer would be given. Mr. Canning could have answered this demand; Lord John Russell could not. But if it were possible that the Bill could be considered as a final resting-place, the noble Lords opposite had taken care, by means of the ten-pounders, to provide a means to propel it further; and in the end it would be found that the Bill consigned all the glories of this country, its wealth, its greatness, and its prosperity, to Annual Parliaments, Universal Suffrage, and Vote by Ballot. His understanding was so framed that he could not see principles established without believing that, sooner or later they would work out their proper end. And it was for this reason that he opposed the Bill. The noble Earl had been accused, and he thought unjustly, with not bringing forward some small plan of Reform. The noble Earl could never bring forward a small plan of Reform. The noble Duke —and in saying this he did not mean to find fault with him for not doing so—might have afforded to bring forward a small plan; but the noble Earl, with all his incidents about him, with the memory of his former life, and conduct, and opinions, could never without disgrace and opprobrium bring forward a small plan of Reform. He should never forget the impression produced in that House on the first presentation of the Bill. All parties —with, perhaps, the exception of the Radicals—all parties, Whigs, Tories, and Liberals, were equally frightened. He had met many friends who had always, for a long period, supported the question of Reform, and they all said, that they must support the noble Earl; they could not help it, but they were afraid of the Bill. He warned their Lordships to reflect that the measure was a sudden measure, and that one of the most important of their duties was to give the country time for reflection. There could be no doubt that the debates in the other House of Parliament and in that House would have a great effect upon the public mind. He had no hope that they should be able to satisfy the Radical Reformers, although he certainly would wish to appease even them. He had no hope that they should be able to satisfy the Radical Reformers, but he hoped they might satisfy the rational and moderate men, who valued the Constitution of the country, and wished to preserve it. The noble Lord, the Secretary for the Home Department, had advised them not to imitate the example of those who, by delay, rendered measures, in themselves safe and salutary, dangerous and pernicious. There was no one of the vices and follies by which States were conducted to their ruin but what ought to be deprecated, and obstinacy no doubt was one of them. In many cases, indeed, obstinacy and concession combined together. In the case of Charles 1st, the only one to which he would allude, the fall of the Monarch was less to be ascribed to the obstinacy at first than to the concession afterwards. What did that unfortunate Monarch do? He conceded the power of the sword to Parliament. He gave the whole power of the state to the House of Commons, by consenting that Parliament should never be dissolved unless by its own consent. Now this Bill would give the whole power of the State to the House of Commons—to a House of Commons representing the direct will of the people. The noble Marquis (Lansdown) said, that there would be no change of the institutions of the country, and that the Bill left that House in full possession of all its rights and privileges. Nobody said that it did not. It was not that the rights or privileges of that House were to be directly assailed, but that a new and overwhelming power was to be created elsewhere, which would by and by restrict them. He was opposed to the whole principle of the Bill, but he wished, nevertheless, to devise, had it been possible, some excuse to himself for voting on the present occasion so as to procure to that House the opportunity of entering into the details of the Bill. But when he reflected upon the subject, he found that to be impossible, unless upon the conditions that a spirit of concession should have been displayed on the part of his Majesty's Ministers, and that a spirit of Reform should have been exhibited on the part of the Opposition in that House. He had unfortunately found neither. If his noble friend should propose to place the enfranchising clauses first, and then proceed to disfranchise the requisite number of boroughs afterwards, he might have entertained some hopes that a salutary measure might have been accomplished. But how could he expect that the noble Earl would suffer them to knock on the head all the principles of the Bill after what had fallen from him? He felt that he had not a right to expect this. But if it should be found impossible to go into Committee upon the measure—if the House should determine at once to reject the Bill—he hoped to God that the noble Earl would take no hasty determination. All the responsibility for whatever consequences might arise were upon him. The noble Marquis had said, that his noble friend had founded all his objections to this measure upon one or two points of detail, and that the true ground of that opposition was hostility to his Majesty's Government. The noble Marquis or the noble Earl had no right to find that fault with him. He now took his part in the sacrifice of his feelings and inclination. He had been anxious to give his support, humble as it was, to the noble Earl. He had no suspicion that the noble Earl was actuated by a desire to overturn the Constitution, but he could not bring himself to think that the operation of the Bill would be other than he had described it. He stood there to act upon principle, and if he thought, and he really did think, that the Bill was fraught with mischief, it was his business to reject it. He was not insensible to the dangers, he would say the imminent dangers, which threatened the country. His great confidence was in the quiet, steady, loyal, and good-humoured character of the English people. He felt satisfied that in time, and upon consideration, the people would be grateful to the House of Lords for saving them from the evils of this measure. He had also his firm confidence in the superintending care of Providence, which would not desert their Lordships if they did not desert themselves.

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* Hansard's Parl. Debates, New Series, vol. xxii, p. 891-2.

The Earl of *Radnor* had listened to the noble Earl with attention, and yet was puzzled whether he was or was not a friend to Reform. For, says the noble Earl at one moment, "I am friendly to the principles of the Bill;" while in the other he declares himself its veriest opponent. Now, those noble Lords who thus declared themselves in theory friends to the principle of Reform, while they in practice proved themselves to be its enemies by their opposition to the present Bill, placed the supporters of the Bill in an awkward situation. For when they, after stating their plan, called upon their opponents, if they did not approve of it, to come forward with some scheme of their own, they were invariably twitted with "Why should we? It is not our business. It does not follow that, because we do not approve of your plans, that therefore we should announce one of our own. We do not want Reform." This may be all very true; but it came, he thought, with a very ill grace, and rather inconsistently, from those who, like the noble Earl, say they admit the principle, but object to the particular practical application of it. They who, like the noble Duke, denied the necessity of any Reform whatever, might use such language, but it struck him as rather preposterous when it came from the alleged advocates of the principle of Reform. From the noble Earl such objections, in particular, were inconsistent, for says he, "I admit the necessity of Reform—I approve of the principle of your Bill—but I object to your details. You ought not to have begun with your schedule A. Disfranchisement is a wrong beginning." Now if the noble Earl would rather that schedule B or C should take precedence of schedule A, and that his new alphabet arrangement being adopted, he would consent to the second reading, it was rather too much that he should range himself by his vote among the enemies of every species of Reform whatever, and thus mar a measure of the principle of which he was an approver. The noble Earl said the Bill was alarming, and that when the wheels were fixed on the carriage, away it would go down the hill into Universal Suffrage, Annual Parliaments, and Vote by Ballot. But the noble Earl, who was now on the top of the hill, would himself put wheels on the carriage, and he, therefore, would go down too, though he might not go down quite so fast; but, in fact, it would come to the same thing; and whether the noble Earl, or any other noble Earl, put on the wheels, the danger must, according to the noble Earl, be equally alarming. It was to him inconceivable how any noble Lord could vote against the second reading, and yet be in favour of Reform. The debate which had taken place had been altogether a debate for the Committee. With the exception of two speeches, all the speeches which had been made related to the details of the Bill; and all the objections which had been stated might be obviated perhaps in the Committee. And yet all admitted themselves friendly to the principle of Reform; and that, too, while they were declaring themselves the opponents of a measure which merely went to carry that principle into effect. But the country would see through such flimsy pretexts. It would see into the motives of those who expressed such horror with the clauses which were to put an end to the monstrous system of nomineeship. The people would appreciate the worth and disinterestedness of the advice to Ministers not to take "hasty steps" should the Bill be unfortunately defeated. The people knew that they were entitled to more than a virtual system of Representation, and that the present mockery of Representation consisting of nomineeship and close boroughs was an insult to their moral sense and sagacity; and they would not be deluded by the senseless cry of "I am friendly to the principle of Reform, but I cannot approve of the plan of Ministers." And here he was reminded of the strange declarations of a noble Earl (Earl Dudley) who had that evening addressed their Lordships. "I have never, I confess," said that noble Earl, "read the Bill. I am wholly ignorant of its provisions, but"—there was always a 'but' sure to follow—"though I am not opposed to the principle of Reform, I will vote against the present Bill." And this was the sum and substance of his logical and most consistent oration, and this indeed was the sum and substance of all the speeches which had been delivered in the course of the debate against the Bill, excepting that of the noble Duke (the Duke of Wellington) opposite. That noble Duke still declared himself opposed to all Reform, and maintained that his being expelled from office had no connexion with his declaration against any change in our representative system. But the noble Duke was in error: all the excitement which occasioned the breaking up of his Administration was produced by his own declaration against Reform. Still the noble Duke was consistent, and in proportion as he was so, were those who professed themselves friendly to the principle of Reform while they expressed their determination to vote against the present measure, grossly inconsistent. He appealed to the noble Duke himself on this point. But says another noble Earl (Mansfield) why should not Ministers wait till the present excitement for Reform has abated?—wait for a couple of years, and then you will be able to discuss the question with due and calm deliberation. Agreed; but what would the public be doing all this time of repose? Would it be content to await this halcyon season of calmness and non-excitement? Say, would not the delay add to the intensity, and, what was of more moment, to the irresistibleness of the demand for Reform? But did the noble Lord who recommended them to wait for two years, until what he called the excitement of the public mind on this subject should abate, flatter himself that any such result would follow the adoption of such a course of proceeding? The truth was, that the necessity of some Reform was acknowledged on all hands. All the petitions, he believed, that had been presented—as well those which were against, as those which were for the present Bill—were in favour of Reform, with the exception, perhaps of the petition which the noble Baron (Wharncliffe) had presented that evening from the City of London, and which he said he would read, but which he had not read to the House. The petitions which had been presented in such numbers to that and to the other House of Parliament praying for Reform, afforded an unquestionable proof of the universality of the feeling which prevailed throughout the country in favour of that measure. Did the noble Lord opposite hope to put an end to the agitation, of the existence of which he complained, in the country on this subject, by hanging up this Bill for two years, or why did he recommend such a course if he did not think that at the end of that time some Reform should be conceded? Now the present appeared to him the fit time for granting Reform, and the present measure would alone, he was convinced, satisfy the just expectations of the country. The noble Lord had argued against the necessity of Reform, on the old ground that the House of Commons had worked well. Now, the universal feeling of the country was, that the present system of the House of Commons had not worked well; and he was only astonished how noble Lords could maintain that it had done so. It had been said by more than one noble Lord in the course of this discussion, that, in point of fact, the government of the country was to be found in the House of Commons. It was generally admitted that the happiness of a people depended upon the goodness of their government. He did not imagine that the noble Lord would contend that this country was in a very happy state at present, and that all orders and classes of men in it were in a very satisfactory contented condition. Now if that were the case, and if this country was not in a happy state, it had not had hitherto a good Government, and consequently the House of Commons had not worked well. But the noble Lord said, that matters might have been much worse under a different system; and he instanced particularly the case of the French war. Popular governments, argued the noble Lord, were always prone to war—the last war was a popular war; and it would not have been less so if they had had a popular House of Commons. Such was the argument of the noble Lord; and it was possible that it might have been so; but it was also very possible that it might have been otherwise. That argument brought to his mind a passage in a very clever and able book, which he had been reading—he alluded to "*Butler's Analogy of Natural and Revealed Religion.*" In that book it was truly stated, that all events depended upon such a multiplicity of causes, and the connexion between causes and events was so completely beyond human capacity to fathom or discover, that it was impossible to state what event might not alter any one result that might be expected from a chain of causes. Now it was his conviction that if the House of Commons had been more popularly chosen, it would not have been so prone to go to war as it was in 1793. He was old enough to remember what was the feeling of the country at that period. The feeling of the country at that time in favour of the war was not a spontaneous feeling—it was one that had been excited by books and pamphlets, and if the House of Commons had then been more freely chosen, and if it had represented fairly the wishes and feelings of the people, there was great reason to think that the disposition of the people at that period would not have been so much in favour of the war. The result of what was then done by the House of Commons had been a long and ruinous war, which had been much more expensive and much less satisfactory than it ought to have been. In short the system had not worked well. The noble Baron who moved the Amendment spoke of the dangers of the country, and of the danger especially of having the law of primogeniture repealed, and an hereditary peerage extinguished. All the difficulties and dangers, however, of which the noble Baron had spoken, had not originated with Reform, and Reform was not in justice to be saddled with them. On the contrary, he would contend, that the existence of such dangers, was in a great degree attributable to the want of Reform. The noble Lord, and other noble Lords who had spoken on that side of the question, had referred to the olden time—had said that these things had gone on formerly, and had asked why they could not continue to go on now. Why, in the first place every thing around them was in a continual state of change—in fact they lived in a world of change. He did not deny that man was the creature of habit, and he might dislike change as much as any one. Indeed, all his feelings were against change, and he was, perhaps, more a man of habit than any other individual in that House. Change might be a grievance; but it was to be weighed against a still greater grievance, and when therefore a greater grievance arose, where was the prudent or the wise man that would hesitate to go to change for the remedy? They were themselves changing every day. He would ask any noble Lord whether there was any, he would not say public but even any private matter, with regard to which he had not changed his opinion at different periods. It would be folly for them, as they advanced in life, not to benefit by experience, by knowledge, and by the opinions of others. If they did not do so, they would continue always the same foolish creatures that they were when they were babies. As change was therefore every day in progress—as improvements were every day increasing—it was absolutely necessary to change the institutions of the country, so as to meet the altered wants, and to supply the necessities of society. To contend against change was to contend against the great necessary principle of existence. It was true that the institutions of the country had been changed; but the misfortune was, that they had been changed the wrong way. While the people of this country became more enlightened, and called for more liberal institutions, and became more entitled to them, their institutions were changed in precisely the opposite direction. Close corporations and rotten boroughs went on increasing in closeness, in rottenness, and in corruption. He was himself the proprietor of a close borough—the borough of Downton. That was an old and ancient borough, and the place was still shown there where it was said that the Wittenagemote was once assembled. The right of voting there was by burgage tenure, and there were not less than 100 freeholders of that description there 500 or 600 years ago. Now 100 householders was a fair constituency for it at that period—a very large one indeed when it was considered that under the present Bill it would not have a greater constituency than 300 householders. What was the constituency of that borough at this moment? He was the constituency. He was the proprietor of ninety-nine out of the 100 tenures that conferred the right of voting there, and one of the properties that gave a vote was in the middle of a watercourse. That was an instance of the change which had been going on in boroughs towards increased closeness and corruption. Within his own memory, he recollected sharp contests for that borough, and Committees of the House of Commons sitting upon petitions against the return of the Members elected for it. At this moment he (Lord Radnor) was not only the sole constituency of that borough, but he was its returning officer. He mentioned these circumstances to show that those things became close by degrees, and that it was necessary that the institutions of the country should change with the increase of the knowledge of mankind. But the fact was, that if there had been any change it had been all the other way. But it was said, that we were now about to take a too desperate step; he would admit that it was a very long one; but the misfortune was, that we had gone on in the old course too far, without granting a little and a little at a time, as ought to have been done; and now, when they wanted to make up for lost time, they found that it must be by a long jump. But it was said that the Radicals wanted even more than this Bill gave. He did not believe that that was the case. Mr. Hunt, indeed, said that he was not satisfied; but the Radicals, on the contrary, said that they would be satisfied with the Bill. He would not say that, if it should be found that the Bill did not act well, further improvements would not be asked for; but which of their Lordships on finding that a measure wanted improvement, would be foolish enough to refuse it? Surely no one—and, therefore, in this sense they might all be called Radicals. The question of Reform was not so modern a question as some supposed. In the year 1747, on the occasion of a motion in the House of Commons, upwards of 100 Members voted in favour of Annual Parliaments. But the noble Duke had said, that it was owing to the French Revolution of last year. He was sure that the noble Duke could not mean to say that that Revolution had produced this feeling: it might, indeed, have been drawn out by that occurrence, but it was well known to have existed before. In the year 1819 a million of persons had signed petitions in favour of Reform; and, indeed, if they wanted to lose sight of the time when Reform was agitated, they must go back to forty or fifty years ago? And why, according to some noble Lords, should we not remain as we were forty or fifty years ago? But those noble Lords appeared to forget that it was contrary to the nature of things that one point should stand still while all others were progressing onwards; and the answer that he should like to give those noble Lords would be, to take them to the Gloucester Coffee-house, about eight o'clock in the evening, and there let them see the six or seven mails that were ready to start for the country. By means of those mails, not only letters but the newspapers of the day were distributed in the course of ten hours over every town within 100 miles of the metropolis. He would take Salisbury, for instance—a city that was eighty miles from London. He believed that it was within the memory of man when the post only arrived there three days in the week, and took six and thirty hours in getting there. Let him illustrate this position by referring to the noble Earl who had spoken against the Bill. Suppose that noble Earl was down at his seat in Scotland, and the post brought him his newspaper according to the present rapid rate of travelling; why, if the noble Earl acted up to his principles, he would say, "Take it away! take it away! and bring it to me ten days hence by the old mode of travelling." This might appear very ridiculous, but it was not so; for if they would have ancient customs in one thing, they must be content to have them in others. So if the noble Earl was to break his leg, he ought to exclaim—"No, no; I will have no Mr. Brodie to tie up my arteries; give me the good old red hot cauterizing knife." But the fact was, that the march of mind, as it was called, had not only extended to science and art, but had gone on as far as politics. The people knew their rights, and were demanding the possession of them; and their Lordships might rely on it, that one of the greatest Reformers that ever existed was high taxation. Education had made a mighty difference between the mechanic of the present day and the mechanic of fifty years ago: as a proof of which he might state, that he had a letter from a Manchester operative, in answer to one from himself, in which he had desired to be made acquainted how this individual had procured his education. According to the statement of this person, it appeared that though he had belonged to a manufactory from the time he was sixteen, and was then only about twenty-four, he had continued to attend some lectures, and by dint of reading had picked up some knowledge of vulgar arithmetic, Algebra, and Euclid, together with geometrical drawing. And he could tell their Lordships, that when Manchester operatives had time to procure as much knowledge as this, it would not do to treat them as they had treated the same class of persons forty or fifty years ago. Their Lordships might just as well say, "We will not grow older" as attempt to prevent those persons obtaining possession of their rights. Knowledge was power; and those persons were getting more and more knowledge every day. It had been a matter of dispute in the other House of Parliament whether Mr. Canning, if he had lived to the present time, would have been a Reformer; he had no personal knowledge of Mr. Canning; but he would venture to pronounce, that that right hon. Gentleman would have been a Reformer; and he founded his opinion on what fell from him at a dinner given to him at Liverpool—probably that one when it was expected that he was going to the East Indies. Mr. Canning had then stated, as an argument against Radical Reform, that it would overturn the House of Lords and the other institutions of the country—for, said he, I cannot conceive on what ground 300 or 400 opulent individuals should oppose themselves to the declared wishes of the country. Now it was impossible that any delegated Parliament could have better declared the wishes of the country than had been done by the present House of Commons in this instance. He therefore hoped that their Lordships would consent to the passing of the Bill; and it was for these reasons that he should give it his own most hearty support. No House of Commons delegated by the people could have declared their wishes more fully than the existing House of Commons had done as regarded this measure. All the popular elections throughout the country were in favour of Reform, and all tended to prove to their Lordships that they ought to comply with the reasonable wishes of the people. No intimidation was used—with the exception of the speech quoted in the early part of the evening, he did not remember one instance of any thing like intimidation; but the people were unanimous in favour of this measure, and was there any one of their Lordships bold enough to say, that he would not let his mind be swayed by the unanimous wishes of the people? He believed that danger and calamity would follow the rejection of the Bill, and on that ground and others he gave it his most cordial support.

The Earl of *Haddington* said, the noble Earl had not fairly represented his argument. He had complained that C and D meaning enfranchisement, did not, as they ought to have done, go before A and B, or before disfranchisement.

Debate adjourned.

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(Fourth Volume of the Session)

OF

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